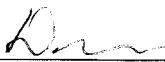


**Housing Element
& Fair Share Plan**

CITY OF BEVERLY,
BURLINGTON COUNTY

December 17, 2008





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Foreword

According to the New Jersey Municipal Land Use Law, 40:55D-28b(3)), a municipal Master Plan must contain a Housing Element. Pursuant to Section C. 52:27D-310 a municipal housing element shall be designed to achieve the goal of access to affordable housing to meet present and prospective housing needs with particular attention to low and moderate income housing. This report includes the City of Beverly's third round housing obligation (2004 to 2018) pursuant to "N.J.A.C. 5:97, Substantive Rules of the New Jersey Council on Affordable Housing for the Period Beginning December 20, 2004." A calculation of the currently projected third round obligation and a Fair Share Compliance Plan to meet that obligation are included.

Beverly City previously submitted a Round III Housing Element and Fair Share Plan in December 2005 in accordance with the November 2004 COAH adopted Third Round Rules (Chapter 5:94). Beverly City has revised its plan and is petitioning COAH again because portions of these COAH rules were overturned in 2007. This new plan meets the revised COAH rules which became effective June 2, 2008 and amendments to those rules which became effective in October 2008. In addition, they also conform to new housing legislation signed by the Governor on July 17, 2008.

Table of Contents

	Page
Forward	
Introduction	1
I. Background Information	3
Housing Stock	3
Demographic Characteristics	9
Employment Characteristics	15
II. Analysis of Impact of Existing Conditions on Affordable Housing Opportunities	17
Availability of Existing and Planned Infrastructure.....	17
Anticipated Demand of Types of Uses Permitted by Zoning	17
Anticipated Land Use Patterns.....	17
Municipal Economic Development Policies	17
Constraints on Development	17
Existing or Planned Measures to Address these Constraints	17
Consideration of Land Most Appropriate for Low and Moderate Income Housing...	18
III. Fair Share Compliance Plan.....	19
Affordable Housing Obligation	19
Rehabilitation Program	21
Prior Round Vacant Land Adjustment	21
Growth Share Obligation	19
IV. Conclusion.....	25
Appendices	
1. Planning Board Resolution	
2. Resolution of the Council petitioning COAH for Substantive Certification of its adopted Housing Element and Fair Share Plan	
3. COAH Petition Application and Certification	
4. Growth Share Determination (COAH Worksheet B)	
5. Development Fee Ordinance	
6. Spending Plan	
7. Affordable Housing Ordinance (draft)	
8. Redevelopment Plans	
9. Rehabilitation Compliance Documentation	
10. Other Crediting Options Compliance Documents	
11. Service List	
12. Municipal Housing Liaison Resolution	
13. Intent to Bond	
14. Municipally Sponsored and 100 Percent Affordable Developments (Habitat for Humanity & Beverly Commons)	
15. Proposed Redevelopment Area (Beaunit Mills)	
16. Project/Program Information Form (Waterfront Redevelopment Project)	

Introduction

In 1975 the New Jersey Supreme Court ruled that developing municipalities have a constitutional obligation to provide a realistic opportunity for the construction of low and moderate-income housing. In its 1983 Mt. Laurel II decision the Court expanded the Mt. Laurel doctrine and stated that all municipalities share in the obligation. In July 1985 the Fair Housing Act (FHA) was enacted as the legislative response to the Supreme Court rulings. The Act created the Council on Affordable Housing as the administrative alternative to the courts.

The FHA directs the New Jersey Council on Affordable Housing (COAH) to provide regulations that allow municipalities to prepare comprehensive responses which will provide a realistic opportunity for the provision of affordable housing through municipal land use regulation. COAH's primary responsibilities are:

- Establish Housing Regions for the State;
- Estimate regional housing need; and
- Provide guidelines for municipalities to use in addressing their fair share obligations.

Municipal responsibilities under the Fair Housing Act consist of adopting and filing with COAH a Housing Element, prepared according to COAH's criteria and guidelines. According to the New Jersey Municipal Land Use Law, C.52:27D-310, the Housing Element shall contain at least:

1. The inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low and moderate income households and substandard housing capable of being rehabilitated;
2. A projection of the municipality's housing stock, including the probable future construction of low and moderate income housing, for the next six years subsequent to the adoption of the Housing Element, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;
3. An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age;
4. An analysis of the existing and probable future employment characteristics of the municipality;
5. A determination of the municipality's present and prospective fair share for low and moderate income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low and moderate income housing;
6. A consideration of the lands that are most appropriate for construction of low and moderate income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low and moderate income housing, including a consideration of lands of developers who have expressed a commitment to provide low and moderate income housing.

HOUSING ELEMENT & FAIR SHARE PLAN

This Housing Element meets all of above requirements as specified in the latest addition of the Municipal Land Use Law, dated February 2008. This plan meets the guidelines of the revised COAH Round III rules and recently adopted State legislation.

I. Background Information

Beverly City is located in South Jersey in Burlington County, and has a population of 2,661 residents. Its land area consists of 0.8 square miles, 0.6 of which is land. It is bordered by Edgewater Park and Delanco townships, and is situated along the Delaware River. Like many Burlington County municipalities, the City is historically a suburban, bedroom community for commuters working in the cities of Camden and Philadelphia.

HOUSING CHARACTERISTICS

Age of Housing

Approximately 45% of Beverly housing stock was built prior to 1940, making the median age of the City's housing units 64 years old. Beverly's units are comparable to Delanco, the City far outpaces Edgewater Park and Burlington County related to median age—both have newer units.

Table 1: Age of Housing

	Beverly	Delanco	Edgewater Park	Burlington County
Total Housing Units:	1,042	1,285	3,301	161,311
Built 1999 to March 2000	4	0	9	4,004
Built 1995 to 1998	34	7	153	10,425
Built 1990 to 1994	20	5	61	12,138
Built 1980 to 1989	44	33	107	25,620
Built 1970 to 1979	30	94	854	32,103
Built 1960 to 1969	100	83	1,073	28,884
Built 1950 to 1959	218	337	605	21,774
Built 1940 to 1949	122	184	108	7,282
Built 1939 or earlier	470	542	331	19,081
Median year structure	1944	1945	1966	1971
<i>Source: 2000 U.S. Census, Tables H34 and H35</i>				

Condition of Housing

The 2000 Census data indicates the City's housing stock is maintained. Less than 1% of units lacked complete plumbing facilities, and all units have complete kitchen facilities. These figures are consistent with the neighboring municipalities of Delanco and Edgewater Park townships. The City did, however, have a significantly higher percentage of crowded units built prior to 1950—1.82% compared to 0.23% and 0.48% in Delanco and Edgewater Park, and 0.34% for the County. Overcrowding is defined by the U.S. Department of Housing and Urban Development as any unit with more than one person living per room. This indicates that Riverside may have a crowding condition in its older housing stock.

Table 2: Condition of Housing				
	Beverly	Delanco	Edgewater Park	Burlington County
Total housing units	1,042	1,285	3,301	161,311
Lacking complete plumbing facilities	4	6	0	623
% Lacking complete plumbing facilities	0.38%	0.47%	0%	0.39%
Lacking complete kitchen facilities	0	0	0	657
% Lacking complete kitchen facilities	0%	0%	0%	0.41%
Crowded, Built Pre 1950	19	3	16	547
% Crowded, Built Pre 1950	1.82%	0.23%	0.48%	0.34%
<i>Source: 2000 U.S. Census, Tables H47, H49, and H50</i>				

Purchase or Rental Value of Housing

The median value for homes in Beverly far outpaced neighboring municipalities and the County. The average cost for a house in Beverly in 2000 is \$140,000 compared to the County's median value of \$134,000. When it comes to median rents, however, Beverly had the lowest compared to the County and neighboring Edgewater Park.

Table 3: Purchase and Rental Value of Housing				
	Beverly	Delanco	Edgewater Park	Burlington County
Median contract rent	\$534	\$535	\$600	\$672
Median value	\$140,800	\$111,900	\$114,600	\$134,000
<i>Source: 2000 U.S. Census, Tables H56, and H85</i>				

Occupancy Characteristics

In 2000, Beverly's vacancy rate is 7.87%, which is high when compared to neighboring Delanco and Edgewater Park townships and Burlington County. The City does have a significantly large amount of "for sale only" vacancies which could contribute to the high vacancy rate.

Table 4: Occupancy Characteristics of Housing				
	Beverly	Delanco	Edgewater Park	Burlington County
Total Housing Units	1,042	1,285	3,301	161,311
Occupied	960	1,227	3,152	154,371
Vacant	82	58	149	6,940
% vacant	7.87%	4.51%	4.51%	4.30%
For rent	10	9	54	2,226
For sale only	65	23	50	2,230
Rented or sold, not occupied	4	4	0	708
For seasonal, recreational, or occasional use	0	13	0	595
For migrant workers	0	0	0	0
Other vacant	3	9	45	1,181

Source: 2000 U.S. Census, Tables H6 and H8

Housing Type

More than 69% of Beverly's housing units are owner-occupied compared to 30.2% that are renter-occupied. *Table 5* below also shows units with "selected conditions," defined by the U.S. Census as units as having at least one of the following conditions: (1) lacking complete plumbing facilities, (2) lacking complete kitchen facilities, (3) with 1.01 or more occupants per room, (4) selected monthly owner costs as a percentage of household income in 1999 greater than 30 percent, and (5) gross rent as a percentage of household income in 1999 greater than 30 percent. These figures indicate that approximately 26.7 % of Beverly City's owner-occupied housing stock and 46.5% of the renter-occupied housing in the City has one or more of these selected conditions.

Table 5: Housing Tenancy & "Special Conditions"

	Beverly	Delanco	Edgewater Park	Burlington County
Total units:	960	1,227	3,152	154,371
Owner occupied:	670	997	2,033	119,500
% Owner occupied	69.79%	81.25%	64.50%	77.41%
Owner occupied with one or more selected condition	179	318	543	30150
% of Owner occupied units with selected condition	26.72%	31.90%	26.71%	25.23%
Renter occupied:	290	230	1,119	34,871
% Renter occupied	30.21%	18.75%	35.5%	22.59%
Renter with one or more selected condition	135	116	464	12710
% of rental units with selected conditions	46.55%	50.43%	41.47%	36.45%
<i>Source: 2000 U.S. Census, Tables HCT28</i>				

Beverly reports more than 61% of its housing units are detached, which is comparable to the County.

Table 6: Units in Structure

	Beverly	Delanco	Edgewater Park	Burlington County
Total Housing Units:	1,042	1,285	3,301	161,311
1, detached	643	942	1,679	104,299
1, attached	157	143	225	22,090
2	85	97	86	3,783
3 or 4	124	58	412	6,374
5 to 9	27	30	396	8,196
10 to 19	0	9	297	7,251
20 to 49	0	0	47	2,999
50 or more	6	0	153	3,810
Mobile home	0	6	6	2,477
Boat, RV, van, etc.	0	0	0	32
% 1, detached	61.71%	73.31%	50.86%	64.66%
<i>Source: 2000 U.S. Census, Tables H 30</i>				

Existing Units in Beverly's Affordable to Low-and-Moderate Income Households

In order to determine the number of existing housing units that are affordable to low- and moderate-income households, the Township will utilize COAH and Federal housing definitions of housing affordability, as well as 2000 Census data.

These agencies use a threshold to define affordability based on housing expense as a percentage of monthly income for households receiving between 0% and 80% of Median Family Income (MFI). In general, households paying more than 30% of monthly income on housing expense are considered cost burdened. For renters, housing costs include rent plus utilities paid by the tenant. For owners, housing costs include the mortgage payment, property taxes, insurance, condominium or homeowner association fees and utilities.

Using 2000 Census data, the U. S. Department of Housing and Urban Development (HUD) has prepared a "Comprehensive Housing Affordability Strategy (CHAS)" study for communities which receive Federal housing funds. As a participant in the HUD-funded State Small Cities CDBG Program, this data is available for Beverly City. The data is summarized in the following table and is broken out by tenure type, household type (i.e., elderly, small family, large family, and other household), and by income category.

Table 7: CHAS Affordability Data for Beverly

	Renters					Owners				
	Elderly (1 & 2 members) (A)	Small Related (2 to 4 members) (B)	Large Related (5 or more members) (C)	All (D)	Total (E)	Elderly (1 & 2 members) (F)	Small Related (2 to 4 members) (G)	Large Related (5 or more members) (H)	All (I)	Total (J)
Household by Type, Income, & Housing Problem										House- holds (K)
Household Income <= 50% MFI	30	72	22	4	128	43	23	4	22	92
Household Income <= 30% MFI	22	33	4	4	63	31	0	4	18	53
% with any housing problems	81.8	87.9	100.0	100.0	87.3	87.1	N/A	100.0	77.8	84.9
% Cost Burden >30%	81.8	87.9	100.0	100.0	87.3	87.1	N/A	100.0	77.8	84.9
% Cost Burden >50%	63.6	45.5	100.0	100.0	58.7	74.2	N/A	0.0	77.8	69.8
Household Income >30 to <=50% MFI	8	39	18	0	65	12	23	0	4	39
% with any housing problems	50.0	48.7	77.8	N/A	56.9	66.7	82.6	N/A	0.0	69.2
% Cost Burden >30%	50.0	48.7	55.6	N/A	50.8	66.7	82.6	N/A	0.0	69.2
% Cost Burden >50%	0.0	10.3	0.0	N/A	6.2	0.0	65.2	N/A	0.0	38.5
Source:	CHAS Data Book, 2000									

HOUSING ELEMENT & FAIR SHARE PLAN

According to the 2000 Census, there are 1,042 housing units in Beverly City. Based on data from the CHAS, table there is a small number of households which are considered cost burdened, but the percentage for certain groups appears to be high. For example 81.8% of elderly renter-occupied households earning in the 30% to 50% of MFI range are considered to be cost burdened. Other observations include:

- 87.1% of elderly owners or 74 households in the 30% to 50% MFI income category are cost burdened;
- 87.9% of the Small Related renter or 105 households in the 30% to 50% MFI category are cost burdened;

Beverly City has a significant amount of residents who are living in distressed housing units. The City should consider tailoring a housing rehabilitation program specifically for certain subgroups that are considered disproportionately burdened.

DEMOGRAPHIC CHARACTERISTICS*Population Trends*

In 2000, Beverly saw an 8.84% drop in its population over a 20-year period. Between 1980 and 1990, there was a slight population increase, but a drop of 312 people between 1990 and 2000.

Table 8: Population Growth, 1980-2000

	Beverly	Delanco	Edgewater Park	Burlington County
1980	2,919	3,730	9,273	362,542
1990	2,973	3,316	8,388	395,066
2000	2,661	3,237	7,864	423,394
% Growth (1980-2000)	-8.84%	13.22%	-15.19%	16.7%
Source: 2000 U.S. Census, Tables P 1, 1990 U.S. Census P001				

Household Size and Type

The average household size for Beverly City (2.77 per household) was larger than neighboring communities and the County. The municipality also had a higher household size for owner-occupied units than both Delanco and Edgewater Park townships, and the County.

Table 9: Household Size & Type				
	Beverly	Delanco	Edgewater Park	Burlington County
Average household size--All Units	2.77	2.64	2.49	2.65
Average household size - Owner occupied	2.87	2.77	2.61	2.77
Average household size - Renter occupied	2.56	2.05	2.28	2.24
Total households	960	1,227	3,152	154,371
Family households	481	798	1,452	111,581
% Family households	50.1%	65.04%	46.07%	72.28%
Married-couple family	353	631	1,190	89,052
% married couple family	36.77%	51.47%	37.75%	57.69%
Male householder, no wife present	43	80	61	5,744
Female householder, no husband present	85	119	201	16,785
Nonfamily households	189	136	581	3,292

Source: 2000 U.S. Census, Tables H17

Age Characteristics

The age-sex distribution of the population in Beverly City, as well as Burlington County and New Jersey, is shown in the population pyramids in the following figure. In 2000, the median age of the City's population was 35 years—34.2 years for males and 35.8 for females. The total number of males in 2000 was 1,251 (47%) and the total number of females was slightly more at 1,410 (52.9%) for a total population of 2,661.

Figure 1: Age Distribution

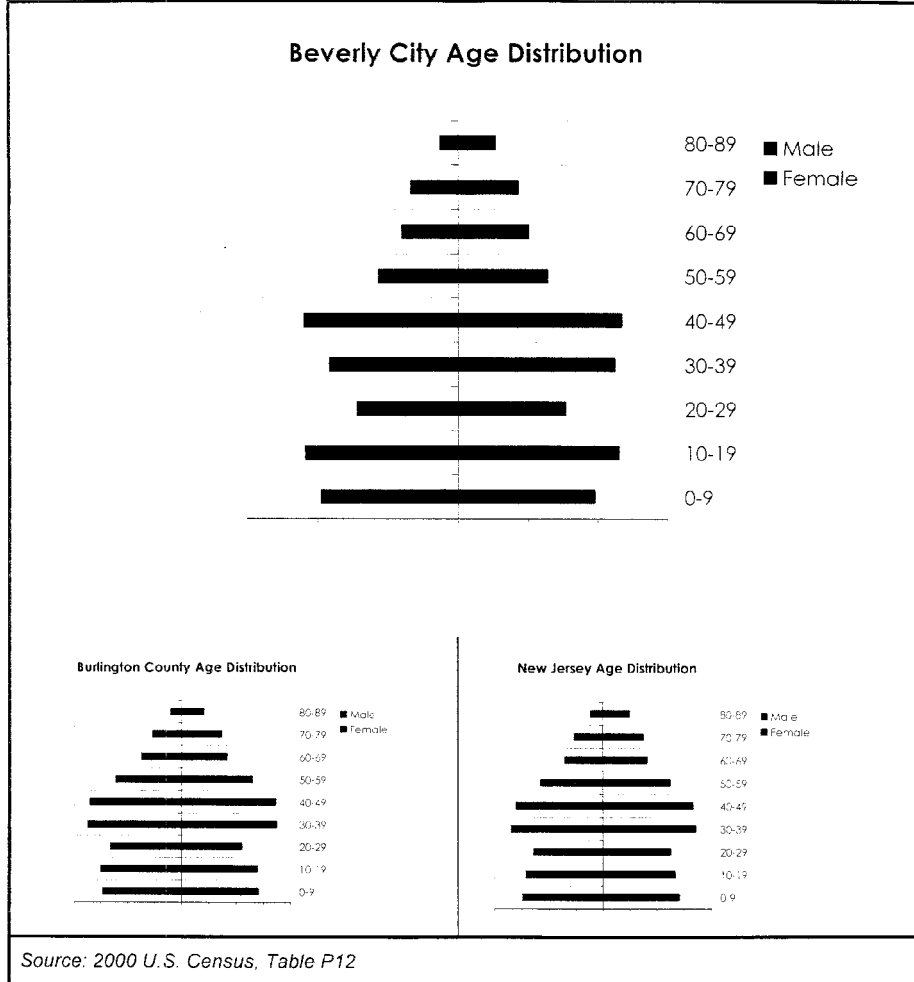


Table 10: Median Age

	Beverly	Delanco	Edgewater Park	Burlington County
Both sexes	35.0	37.0	37.9	37.1
Male	34.2	36.5	36.8	35.8
Female	35.8	37.6	39.0	38.4
Source: 2000 U.S. Census, Table P13				

Income Level

Table 11 indicates that the median household income in 1999 in Beverly City was \$45,054, which is significantly less than the County, and well below neighboring Delanco and Edgewater Park townships.

Table 11: Median Income

	Beverly	Delanco	Edgewater Park	Burlington County
Median household income in 1999	\$45,054	\$50,106	\$48,936	\$58,608
Source: 2000 U.S. Census, Table P53				

Of the 960 households shown, 205 households or 21% of the total, earned less than \$25,000, and only 68 households or 7.14% of the total, had incomes of less than \$10,000. Slightly more than 5% of the total households in the City earned \$100,000 or more annually.

Table 12: Household Income by Brackets, 1999

	Beverly		Burlington County
	Number of Households	% of Total	% of Total
Less than \$10,000	68	7.14%	3.9%
10,000 - 14,999	56	5.88%	3.4%
15,000 - 24,999	81	8.5%	8.2%
25,000 - 34,999	159	16.68%	10.2%
35,000 - 49,999	168	17.63%	15.4%
50,000 - 74,999	234	24.55%	23.2%
75,000 - 99,999	133	13.96%	15.5%
100,000 - 149,999	47	4.93%	13.7%
150,000 +	7	0.73%	6.4%

Source: U.S. Census Bureau, Table P 52

The COAH regulations define low-income households (those earning up to 50% of the median household income) and moderate-income households (those earning from more than 50% to 80% of the median household income). The figures are adjusted for household size and the municipality's housing region. Beverly City is part of Region Five, which includes Burlington, Camden and Gloucester Counties. *Table 13* provides a breakdown of the maximum 2008 income figures by household size that COAH uses to determine affordability.

Table 13: COAH 2008 Regional Income Limits (Region 5)

Income	Family Size									
	1	1.5	2	3	4	4.5	5	6	7	8
Median	\$52,010	\$55,725	\$59,440	\$66,870	\$74,300	\$77,272	\$80,244	\$86,188	\$92,132	\$98,076
Moderate	\$44,608	\$44,580	\$47,552	\$53,496	\$59,440	\$61,818	\$64,195	\$68,950	\$73,706	\$78,461
Low	\$26,005	\$27,863	\$29,720	\$33,435	\$37,150	\$38,636	\$40,122	\$43,094	\$46,066	\$49,038
Very Low	\$15,603	\$16,718	\$17,832	\$20,061	\$22,290	\$23,182	\$24,073	\$25,856	\$27,640	\$29,423

Source: COAH, 2008

Employment Status of Residents

Beverly City utilized data from the New Jersey Department of Labor for employment status information. This data indicates that more than 56% of the population worked more than 35 hours per week, while approximately 28% did not work in 1999.

Table 14: Employment Status				
	Beverly	Delanco	Edgewater Park	Burlington County
Usually worked 35 or more hours per week	1,122	1,468	3,811	192,981
% of the population that worked 35 or more hours per week	56.3%	58.09%	60.89%	58.7%
Usually worked 34 hours or less hours per week	311	339	955	47,093
Did not work in 1999	557	720	1,493	88,833
% of the population that did not work in 1999	27.98%	28.49%	23.86%	27.0%
<i>Source: 2000 U.S. Census, Table P47</i>				

ECONOMIC CHARACTERISTICS*In-Place Employment by Industry Sectors and Number of Persons Employed*

Table 15: Employment by Occupation, 2000					
Sector	Beverly		Delanco	Edgewater Park	Burlington County
	Jobs	%	%	%	%
1 - Agriculture, Forestry, Fisheries, & Mining	0	0	0	0	.4%
2 - Construction	14	25%	11.54%	12.37%	5.6%
3 - Manufacturing	7	12.5%	15.38%	5.19%	11.%
4 - Transportation, Warehousing & Utilities	6	10.71%	0%	3.25%	5.6%
5 - Wholesale & Retail Trade	7	12.5%	34.62%	24.68%	16.4%
6 - Information & Finance, Insurance, Real Estate	4	26.79%	0%	14.29%	11.8%
7 - Services	12	21.43%	13.46%	22.27%	41.6%
8 - Public Administration	3	5.36%	7.69%	0%	7.%
Source: New Jersey Department of Labor					

Table 16: Employment by Occupation, 2000			
	Beverly		Burlington County
	Persons	% of Total	% of Total
Management & Professional	276	22%	38.7%
Construction, Extraction, & Maintenance	126	10.1%	7.6%
Sales & Office	311	24.8	29.4%
Services	288	23%	12.7%
Farming, Forestry, & Fishing	0	0%	0.2%
Production & Transportation	252	20%	11.3%
Total	1253	100%	100

Beverly City

HOUSING ELEMENT & FAIR SHARE PLAN

Source: New Jersey Department of Labor

The chart above shows Beverly's employment by occupation data by sector. The Information & Finance, Insurance, Real Estate sector had the highest employment percentage (26.79%), followed by the Construction sector (25%). Beverly had more people working in these two sectors than that of Delanco and Edgewater Park. It must be noted that information is based on people who work in Beverly, who may not be residents.

Employment Outlook

Based on the 2007 NJ Annual Average Labor Force estimates, Beverly had the highest rate of unemployment of all 41 communities in Burlington County, at 8.6%. While the figures are not in yet for 2008, it is highly likely the unemployment has increased substantially. According to a business survey conducted by the Federal Reserve Bank of Philadelphia, the rate of unemployment in New Jersey has grown at a faster rate than the nation as a whole. With a recession looming or already in effect, the unemployment rate is anticipated to increase well into 2009. Especially hard hit are manufacturing, construction and financial services, which are well represented in the City of Beverly.

II. ANALYSIS OF IMPACT OF EXISTING CONDITIONS ON AFFORDABLE HOUSING OPPORTUNITIES

AVAILABILITY OF EXISTING AND PLANNED INFRASTRUCTURE

Beverly City is less than two (2) square miles and borders the Delaware River. It is an older urban municipality that is almost completely built out with minimal usable vacant land. In addition, the Sewage Authority is planning a new treatment facility.

ANTICIPATED DEMAND OF TYPES OF USES PERMITTED BY ZONING

The local zoning ordinance shows relatively little room, if any, for development. The vacant Land Inventory indicates that practically all sites one acre or larger are constrained by environmental conditions.

Source: Beverly City Housing Element and Master Plan, October 2005

ANTICIPATED LAND USE PATTERNS

Due to the built-out nature of Beverly City and its relatively small size, there are very few opportunities for changes in land use patterns are anticipated. Beverly is anticipating redevelopment at its waterfront and the area around its RiverLine light rail station. It continues to use rehabilitation as its primary source for meeting its affordable housing obligations.

MUNICIPAL ECONOMIC DEVELOPMENT POLICIES

The City has adopted redevelopment plans which call for the revitalization of the downtown, waterfront, and light rail station areas.

CONSTRAINTS ON DEVELOPMENT

As mentioned previously, Beverly has little, if any, developable land available for housing construction or economic development. This fact is corroborated by COAH's granting of substantive certification of the City's second round plan on July 10, 1996, which included a vacant land adjustment with a Realistic Development Potential (RDP) of zero units.

EXISTING OR PLANNED MEASURES TO ADDRESS THESE CONSTRAINTS

Due to the lack of vacant land, the City of Beverly has relatively few options available to meeting its affordable housing requirements. However, the two planned redevelopment areas Beaunit Mills Redevelopment Project and the Waterfront Redevelopment will include affordable housing.

**CONSIDERATION OF LAND MOST APPROPRIATE FOR
CONSTRUCTION OF LOW AND MODERATE INCOME HOUSING**

Beverly has worked with two agencies which have helped the City meet its affordable housing obligations: Habitat for Humanity of Burlington County and the Burlington County Community Action Agency (BCCAP). Habitat has either "gut rehabbed" or built new single family units on small, infill lots around the City. Ten owner-occupied dwelling units have been completed and two more are nearing completion. Under BCCAP, five (5) rental units and five (5) rehabilitated units for sale units were made available to low and moderate income households.

The City of Beverly also recently passed two redevelopment plans. The proposed development, known as the Beaunit Mills Redevelopment Project which includes 20 unit residential project, of which four (4) are to be set aside for low and moderate income households. Additional affordable housing will be required to be built based on COAH standards as part of the market unit developments that are expected to be built in the waterfront redevelopment district. A copy of the redevelopment plan is attached in the appendices.

The second redevelopment area is the Waterfront Redevelopment District where 300 new homes and up to 100,000 square feet of new commercial development are planned for this area.

III. Fair Share Compliance Plan

The Fair Share Compliance Plan is the implementation plan for meeting Beverly's Rehabilitation Share of 16 units, its prior round adjusted Unmet Need of 18 units and its growth share obligation. The City is basing its growth share obligation on the residential and commercial growth that is expected to occur in the Beaunit Mills and Waterfront redevelopment districts. The redevelopments plans anticipate 320 new homes and 100,000 square feet of new commercial development. That growth projection results in a potential affordable housing obligation of 79 units based on the COAH formula that is discussed in the following section.

The Fair Share Plan represents the current strategy that the City intends to implement, following COAH certification, but is also an amendable plan, that will change, as circumstances and developments unfold from now through 2018. Therefore, it will almost certainly require, not unlike other Fair Share Compliance Plans throughout New Jersey, several amendments throughout the life of this Plan.

The City's plan for meeting its anticipated affordable housing obligation through 2018 is summarized in the attached COAH application forms and described in more detail in the following sections.

AFFORDABLE HOUSING OBLIGATION

Based on N.J.A.C. 5:97, Appendix F the City's growth share obligation for the period 2004 to 2018 is based on the following ratios:

- One affordable unit among five housing units projected to be built; and
- One affordable unit per 16 jobs expected to be created.

For the City, COAH has projected that 47 housing units will be built during the subject period and 101 jobs will be created for a growth share obligation of sixteen (16) units. However, the City has based its growth share obligation on the potential development of 320 units in the waterfront redevelopment district and up to 100,000 square feet of new commercial development at 1.7 jobs per 1,000 square feet. After applying the above-listed ratios as well as the residential and non-residential growth that has occurred since 2004, the resulting growth share obligation is 79 units. These calculations are reflected on the attached COAH Worksheet B.

Historical Trends of Residential Development

According to the following data on the official New Jersey Department of Community Affairs web-site, 20 housing units were certified between 1999 and 2008, or an average of two (2) per year (*Table 17*). In addition, 16 residential units were demolished during this period or an average of 1.6 units per year. With the exception of the two redevelopment areas identified in this Plan, new residential development will be infill and replacement units and is expected to be very small or non-existent.

There are no other pending, approved or anticipated applications for development besides the two Redevelopment Areas.

Table 17: Beverly's Historic Trend of Residential Development			
Year	CO's Issued	Demolition Permits Issued	Net
2008	7	0	7
2007	1	1	0
2006	3	2	1
2005	0	3	-3
2004	0	0	0
2003	3	1	2
2002	1	7	-6
2001	2	1	1
2000	3	1	2
1999	0	0	0
TOTAL	20	16	4

Source: Division of Code and Standards, NJ Construction Reporter Data

Historical Trends of Non Residential Development

An analysis of the past ten years of non-residential development reveals that there has been little growth (*Table 18*). Overall, there have been relatively few demolitions in the City but historical demolition data by square feet is not available. With the exception of the Waterfront Redevelopment Area, this trend of minimal non-residential development is expected to continue.

Table 18: Beverly's Historic Trend of Non-Residential Development				
	CO's Issued (Square feet)			
	Office (B)	Assembly (A-3)	Hotels & Motels (R-1)	Storage (S)
1999	0	7,200	0	0
2000	0	144	0	0
2001	0	0	0	0
2002	0	0	0	0
2003	0	0	0	0
2004	0	0	0	3,300
2005	1,500	0	0	0
2006	0	0	0	0
2007	0	0	0	0
2008	0	0	0	0
TOTAL	1,500	7,344	0	3,300

Source: Division of Code and Standards, NJ Construction Reporter Data

REHABILITATION SHARE

The City has rehabilitated twelve (12) properties in 2001 and 2002 under the Small Cities CDBG Program. These units are eligible for COAH credit. The remaining four (4) units Rehabilitation Share obligation (COAH Appendix B) will be met through a Rehabilitation Program open to both owner- and renter-occupied units that are substandard and are in need of rehabilitation. The average allocation will be \$10,000 per unit in order to qualify for credits.

The City will apply for State Small Cities CDBG funds, Balanced Housing Program funds and funding provided through Assembly bill A-500 to support the Rehabilitation Program. In addition, the City will adopt a resolution to bond for \$20,000 to assure that at least half of the estimated \$40,000 Rehabilitation Share cost will be funded in accordance with COAH regulations.

The City will also seek HOME Investment Partnership Program funds from the Burlington County Department of Community Development to support the development or rehabilitation of rental units.

COMPLIANCE OPTIONS

The City has developed the following strategy to its address Prior Round (Unmet Need) obligation of 18 units (COAH Appendix C) and its growth share obligation of 75 units (COAH Worksheet B).

The prior round obligation can be defined as the cumulative 1987 through 1999 affordable housing obligation (N.J.A.C. 5:97-1.4). This time period corresponds to the first and second rounds of affordable housing. COAH has calculated Beverly's prior round obligation to be 18 units (Appendix C. to N.J.A.C. 5:97). However, the City received a vacant land adjustment for its second round substantive certification. A vacant land adjustment is a tool used to reduce the prior round obligation for municipalities with little vacant and developable land to that which can be accommodated in the municipality. This reduced obligation is known as the realistic development potential (hereinafter "RDP"); the remaining obligation (prior round obligation – RDP) is known as the unmet need. Beverly's RDP is 0 units and the unmet need is 18 units (18 unit prior round obligation – 18 unit RDP). In addition, COAH regulations (i.e., N.J.A.C. 5:97 3.11 set forth formulas to address a portion of a municipality's prior round obligation which received a vacant land adjustment.

These compliance formulas are follows addressing the municipality's rental obligation and for the cap on age-restricted units:

Rental unit obligation

.25 (RDP)

.25 (0) = 0 units

Age-restricted maximum

.25 (Unmet Need)

.25 (18 units) = 4.5 units, rounded down to 4 units.

The City will address the Prior Round obligation of 18 units with the following three projects:

1. Beverly Commons Senior Housing (620 Third Street)

Four (4) of 23 eligible units at the 25 unit age-restricted development (i.e., One unit is a superintendent's unit and one unit is funded with RCAs)

2. Completed Habitat for Humanity units that did not receive RCA funds - five (5) units:

310 Broad Street
402 Third Street
222 Cooper Street
427 Laurel Street
502 Second Street

3. Nine (9) units in the Burlington County Community Action Program's Balanced Housing

Program funded project:

a. Rental units

513 3rd Street

515 3rd Street

628 Elizabeth Street

326 Magnolia Street

b. Acquisition/Rehab/Resale Program

204 Broad Street

224 Laurel Street

525 Laurel Street

208 Warren Street

403 Warren Street

Growth Share Obligation

Beverly's third round or growth share obligation, pursuant to the City's household and job

HOUSING ELEMENT & FAIR SHARE PLAN

projections and accounting for any eligible exclusions, is 79 units (N.J.A.C. 5:97-2.2 (d)). In accordance with N.J.A.C. 5:97-2.2(e), the provision of affordable housing shall be based on the issuance of permanent certificates of occupancy for new residential units and new nonresidential floor area.

In addition to satisfying the 79 unit third round obligation, the City must also adhere to a minimum number of total family units, minimum rental obligation, minimum number of family rental units, a maximum number of age-restricted units, maximum number of bonus credits and minimum number of very low income units. Due to the recent amendments to the Fair Housing Act, P.L.2008, c.46, the City is no longer eligible to enter into a regional contribution agreement for the third round obligation.

- Minimum Family Obligation
 .50(third round affordable units) =
 .50(79) = 40 units
- Minimum Rental Obligation
 .25 (third round obligation) =
 .25 (79) = 20 units
- Minimum Family Rental Obligation
 .50(third round rental obligation) =
 .5(20) = 10 units
- Maximum Age-restricted Units
 .25 (third round obligation) =
 .25 (79) = 19 units
- Maximum Bonus Credits
 .25 (third round obligation) =
 .25 (79) = 20 units
- Minimum Very Low Income*
 .13(third round obligation) =
 .13(79) = 10 units

*P.L.2008, c.46 amended the Fair Housing Act to require 13% of all third round units to be reserved for very low income households.

The City will address its 79 unit growth share obligation and the above-listed compliance components with the following projects:

Minimum family obligation of 40 units

- Five units to be completed or that have been completed by Habitat for Humanity without RCA funds:

HOUSING ELEMENT & FAIR SHARE PLAN

128 Locust Street
130 Locust Street
208 Locust Street
213 Broad Street
219 Broad Street

Up to sixty-four family units will be provided in the Waterfront Redevelopment Project Area and the Beaunit Mills Redevelopment Area based on a 20% set aside of affordable units out of the 320 units to be developed;

- Minimum Rental Obligation (20 units)

Ten units from the Beverly Commons age-restricted development and ten of the 64 affordable units in the redevelopment project areas will be designated as family rental units to address the minimum rental obligation.

- Minimum Family Rental Obligation (10 units)

Ten of the 64 affordable units in the redevelopment project areas will be designated as family rental units used to address the family rental obligation.

- Maximum Age-restricted Units (19 units)

Nineteen of 23 age-restricted rental units at Beverly Commons Senior Housing

- Maximum Bonus Credits (20 units)

Fourteen credits will be provided through the two redevelopment projects as stated in the summary table on page 25.

- Minimum Very Low Income (10 units)

Ten family rental units in the redevelopment projects will be restricted to Very Low Income households plus 40% of all annual move-ins at Beverly Public Housing Authority in accordance with HUD regulations will be used to satisfy this obligation.

IV. CONCLUSION

The City's plan to satisfy its Growth Share obligation is summarized in the following table. The final total of required growth share units will be determined by the actual number of market rate units built in the redevelopment project area.

Summary of Beverly City's Plan to Meet the Growth Share Obligation		
Growth Share Obligation	79	
Habitat units	5	Five units completed (without RCA funds)
Beverly Commons	19	This is a completed 25 unit, age-restricted project. Twenty three units are affordable, but only 19 units can be credited since four units were used to address Unmet Need.
Waterfront Redevelopment Area	37	Thirty-seven of 60 affordable units as part of the 20% set aside in the planned 300 unit redevelopment project will be used to address part of the growth share obligation. Ten of the 37 units will be family rental units.
Beaunit Redevelopment	4	Four of the planned 20 units in the redevelopment project will be low income, for sale family units.
Bonus credits	14	As per N.J.A.C. 5:97-3.19 the City can claim .33 credits for each of the 41 affordable units in the above-listed redevelopment projects. (41 units * .33 = 13.53 or 14 units rounded)
Growth Share Total credits	79	

1. Planning Board Resolution

RESOLUTION NO. 2008-35
Planning Board Resolution Adopting the Housing
Element and Fair Share Plan

WHEREAS, the Planning Board of *City of Beverly*, State of New Jersey, adopted its current Master Plan pursuant to N.J.S.A. 40:55D-28 on November 17, 1999 and

WHEREAS, the Master Plan includes a Housing Element pursuant to N.J.S.A. 40:55D-28b(3); and

WHEREAS, N.J.A.C. 5:94-2.2(a) requires the adoption of the Housing Element by the Planning Board and endorsement by the Governing Body; and

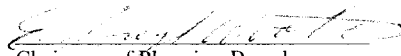
WHEREAS, N.J.A.C. 5:94-4.1(a) requires the preparation of a Fair Share Plan in accordance with the Housing Element of the Master Plan; and

WHEREAS, N.J.A.C. 5:94-4.1(b) requires the adoption of the Fair Share Plan by the Planning Board and endorsement by the Governing Body; and

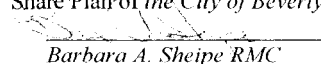
WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Planning Board of *the City of Beverly* held a public hearing(s) on the Housing Element and Fair Share Plan on December 17, 2008; and

WHEREAS, the Planning Board has determined that the Housing Element and Fair Share Plan are consistent with the goals and objectives of the City of Beverly's Master Plan and that adoption and implementation of the Housing Element and Fair Share Plan are in the public interest and protect public health and safety and promote the general welfare.

NOW THEREFORE BE IT RESOLVED by the Planning Board of *the City of Beverly, County of Burlington*, State of New Jersey, that the Planning Board hereby adopts the *December, 2008* Housing Element and Fair Share Plan.


Chairman of Planning Board

I hereby certify that this is a true copy of the resolution adopting the Housing Element and Fair Share Plan of *the City of Beverly* on *December 17, 2008*.


Barbara A. Sheipe RMC
Planning Board Secretary

2. Resolution of the Council petitioning COAH for Substantive Certification of its adopted Housing Element and Fair Share Plan

RESOLUTION NO. 2008-96

WHEREAS, the Planning Board of The City of Beverly, Burlington County, State of New Jersey, adopted the Housing Element of the Master Plan on December 17, 2008; and

WHEREAS, a true copy of the resolution of the Planning Board adopting the Housing Element is attached pursuant to N.J.A.C. 5:95-2.2(a)2; and

WHEREAS, the Planning Board adopted the Fair Share Plan on December 17, 2008; and

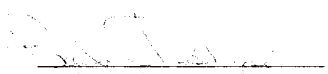
WHEREAS, a true copy of the resolution of the Planning Board adopting the Fair Share Plan is attached pursuant to N.J.A.C. 5:95-2.2(a)2.

NOW THEREFORE BE IT RESOLVED that the Governing Body of The City of Beverly, Burlington County, State of New Jersey, hereby endorses the Housing Element and Fair Share Plan as adopted by the City of Beverly Planning Board; and

BE IT FURTHER RESOLVED that the Governing Body of The City of Beverly, pursuant to the provisions of N.J.S.A. 52:27D-301 et seq. and N.J.A.C. 5:95-3.2, submits this petition for substantive certification of the Housing Element and Fair Share Plan to the Council on Affordable Housing for review and certification; and

BE IT FURTHER RESOLVED that a list of names and addresses for all owners of sites in the Housing Element and Fair Share Plan has been included with the petition; and

BE IT FURTHER RESOLVED that notice of this petition for substantive certification shall be published in a newspaper of countywide circulation pursuant to N.J.A.C. 5:95-3.5 within seven days of issuance of the notification letter from the Council on Affordable Housing's Executive Director indicating that the submission is complete and that a copy of this resolution, the adopted Housing Element and Fair Share Plan and all supporting documentation shall be made available for public inspection at the City of Beverly municipal clerk's office located at 446 Broad Street, Beverly, NJ 08010 during the hours of *8am to 4pm* on Monday through Friday for a period of 45 days following the date of publication of the legal notice pursuant to N.J.A.C. 5:95-3.5.


Barbara Sheipe RMC
Municipal Clerk

I hereby certify that the foregoing
is a true copy of a Resolution/Ordinance
only adopted by the Governing Body
of the City of Beverly, County of
Burlington, State of New Jersey, at
a meeting held December 17, 2008


Signature of Official

4. Growth Share Determination (COAH Worksheet B)

Workbook B:
Summary of Growth Share Determination Using Municipal Projections

Municipality Name: **Beverly**

(Note: Municipalities seeking a lower growth projection based on the lack of available land may not use Workbook B. Rather, these municipalities must use Workbook C.)

[CLICK HERE to go to Workbook C](#)

This workbook contains two separate worksheets to be used for determining the projected Municipal Growth Share Obligation. Worksheet A must be completed by all municipalities. Worksheet A is the tool that allows the user to enter COAH-generated Growth Projections included in Appendix F(2) of the revised Third Round Rules to determine the Growth Share Obligation after applying exclusions permitted by N.J.A.C. 5:97-2.4. Municipalities that accept the COAH-generated Growth projections need only use Worksheet A.

[Click Here to complete Worksheet A](#)

Municipalities anticipating that growth through 2018 is likely to exceed the growth through 2018 that has been projected by COAH should complete Worksheet A and Worksheet B. Worksheet A establishes a projected Growth Share Obligation based on COAH-generated growth projections against which the municipally determined Growth Share Obligation will be compared. Municipal alternative growth projections that exceed COAH projections would be used if the municipality anticipates growth higher than what COAH has projected and seeks to plan accordingly.

[Click Here to complete Worksheet B](#)

Summary Of Worksheet Comparison

COAH Projected Growth Share	COAH Projected Growth Share (From Worksheet A)	Municipally Projected Growth Share (From Worksheet B)
Residential Growth	47	331
Residential Exclusions	0	0
Net Residential Growth	47	331
Residential Growth Share	9.40	66.20
Non-Residential Growth	101	202
Non-Residential Exclusions	0	0
Net Non- Residential Growth	101	202
Non-Residential Growth Share	6.31	12.65
Total Growth Share	16	79

The Municipal growth share projection exceeds the COAH projection. Please file Workbook B and use a Residential Growth share of 66.2 units plus a Non-residential growth share of 12.65 units for a total growth share obligation of 79 affordable units.

Worksheet B
Growth Share Determination Using Municipal Projections

Municipality Name: **Beverly**

		Actual Growth 01/01/04 to Present			
Residential COs Issued		11			
		Square Feet Added (COs Issued)	Square Feet Lost Demolition Permits Issued)	Jobs/1,000 SF	Total Jobs
Non-residential CO's by Use Group					
	B	1,500		2.8	4.20
	M			1.7	0.00
	F			1.2	0.00
	S	3,300		1.0	3.30
	H			1.6	0.00
	A1			1.6	0.00
	A2			3.2	0.00
	A3			1.6	0.00
	A4	7,344		3.4	24.97
	A5			2.6	0.00
	E			0.0	0.00
	I			2.6	0.00
	R1			1.7	0.00
	Total	12,144	0		32

Projected Growth through 12/31/18 not included in actual above

Pending Residential Approvals
Known Residential Development Applications
Additional Projected Residential Growth through 2018 320

		Square Feet Projected to be built	Square Feet Projected to be Demolished	Jobs/1,000 SF	Total Jobs
Pending, Known and Anticipated Non-Residential Growth by Use Group					
	B			2.8	0.00
	M	100,000		1.7	170.00
	F			1.2	0.00
	S			1.0	0.00
	H			1.6	0.00
	A1			1.6	0.00
	A2			3.2	0.00
	A3			1.6	0.00
	E			0.0	0.00
	I			2.6	0.00
	R1			1.7	0.00
	Total	100,000	0		170

Residential

**Non-
Residential**

Total Municipal Projections From Above	331	202
Subtract the following Residential Exclusions pursuant to 5:97-2.4(a) from Worksheet A	If you have not yet completed Worksheet A, Please click here to do so before continuing with Worksheet B.	
COs for prior round affordable units built or projected to be built post 1/1/04		
Inclusionary Development	0	
Alternative Living Arrangements	0	
Accessory Apartments	0	
Municipally Sponsored or 100% Affordable	0	
Assisted Living	0	
Other	0	
Market Units in Prior Round Inclusionary development built post 1/1/04	0	
Non-Residential Exclusions Pursuant to 5:97-2.4(b)		
Affordable units	0	
Associated Jobs		0
Net Growth Projection	331	202
Projected Growth Share Divide Residential Growth by 5 and Jobs by 16	66.20 Affordable Units	12.65 Affordable Units

Total Projected Growth Share Obligation 78.85 Affordable Units

[Click Here to return to Workbook B Summary sheet](#)

Worksheet A: Growth Share Determination Using Published Data

(From Appendix F(2), *Allocating Growth To Municipalities*)

COAH Growth Projections

Must be used in all submissions

Municipality Name:

Beverly

Enter the COAH generated growth projections from Appendix F(2) found at the back of N.J.A.C. 5:97-1 et seq. on Line 1 of this worksheet. Use the Tab at the bottom of this page or the links within the page to toggle to the exclusions portion of this worksheet. After entering all relevant exclusions, toggle back to this page to view the growth share obligation that has been calculated based on COAH's growth projections.

	Residential	Non-Residential
1 Enter Growth Projections From Appendix F(2)*	47	101
2 Subtract the following Residential Exclusions pursuant to 5:97-2.4(a) from "Exclusions" tab	Click Here to enter Prior Round Exclusions	
COs for prior round affordable units built or projected to be built post 1/1/04		
Inclusionary Development	0	
Supportive/Special Needs	0	
Accessory Apartments	0	
Municipally Sponsored or 100% Affordable	0	
Assisted Living	0	
Other	0	
Market Units in Prior Round Inclusionary development built post 1/1/04	0	
Subtract the following Non-Residential Exclusions Pursuant to 5:97-2.4(b)		
Affordable units	0	
Associated Jobs		0
3 Net Growth Projection	47	101
Projected Growth Share (Conversion to Affordable Units)	9.40 Affordable Units	6.31 Affordable Units
4 Divide HH by 5 and Jobs by 16)		
5 Total Projected Growth Share Obligation		16 Affordable Units

[Click Here to return to Workbook B Summary](#)

* Use Appendix F(2), Figure A.1, Housing Units by Municipality for Residential growth and Appendix F(2), Figure A.2, Employment by Municipality for Non-residential growth.

5. Development Fee Ordinance

CITY OF BEVERLY

ORDINANCE NO. 2008-17

**AN ORDINANCE IMPLEMENTING THE MANDATORY NON-RESIDENTIAL
DEVELOPMENT FEE PROVISIONS OF THE STATEWIDE NON-RESIDENTIAL
DEVELOPMENT FEE ACT, N.J.S.A. 40:55D-8.1, ET SEQ.**

WHEREAS, In Holmdel Builder's Association v. Holmdel Township, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985 (the Act), N.J.S.A. 52:27d-301 et seq., and the State Constitution, subject to the Council on Affordable Housing's (COAH's) adoption of rules; and

WHEREAS, pursuant to P.L. 2008, c.46, section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), COAH is authorized to adopt and promulgate regulations necessary for the establishment, implementation, review, monitoring and enforcement of municipal affordable housing trust funds and corresponding spending plans and municipalities that are under the jurisdiction of the Council or court of competent jurisdiction and have a COAH-approved spending plan may retain fees collected from non-residential development; and

WHEREAS, this Ordinance establishes standards for the collection, maintenance, and expenditure of development fees pursuant to COAH's regulations and in accordance P.L. 2008, c.46, Sections 8 and 32-38;

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Beverly that:

SECTION 1. The following shall apply to the collection of Affordable Housing Development Fees in the City of Beverly:

1. Purpose.

a) The findings set forth in the Preamble and Whereas clauses to this Ordinance are adopted and incorporated into this Ordinance as if set forth at length herein.

b) Fees collected pursuant to this Ordinance shall be used for the sole purpose of providing low- and moderate-income housing.

c) This Ordinance shall be interpreted within the framework of COAH's rules on development fees, codified at N.J.A.C. 5:97-8.

2. Basic requirements

a) This Ordinance shall not be effective until approved by COAH pursuant to N.J.A.C. 5:96-5.1.

b) The City shall not spend development fees until COAH has approved a plan for spending such fees in conformance with N.J.A.C. 5:97-8.10 and N.J.A.C. 5:96-5.3.

3. Definitions

a) The following terms, as used in this ordinance, shall have the following meanings:

- i. **"Affordable housing development"** means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable development.
- ii. **"COAH"** or the **"Council"** means the New Jersey Council on Affordable Housing established under the Act which has primary jurisdiction for the administration of housing obligations in accordance with sound regional planning consideration in the State.
- iii. **"Development fee"** means money paid by a developer for the improvement of property as permitted in N.J.A.C. 5:97-8.3.
- iv. **"Developer"** means the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.
- v. **"Equalized assessed value"** means the assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with sections 1, 5, and 6 of P.L.1973, c.123 (C.54:1-35a through C.54:1-35c).

- vi. **“Green building strategies”** means those strategies that minimize the impact of development on the environment, and enhance the health, safety and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

4. **Non-Residential Development fees.**

- a) Imposed fees
 - i. Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall pay a fee equal to two and one-half (2.5) percent of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.
 - ii. Non-residential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to two and one-half (2.5) percent of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.
 - iii. Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of two and a half percent (2.5%) shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvement and the equalized assessed value of the newly improved structure, i.e. land and improvement, at the time final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the non-residential development fee shall be zero.
- b) Eligible exactions, ineligible exactions and exemptions for non-residential development
 - i. The non-residential portion of a mixed-use inclusionary or market-rate development shall be subject to the two and a half (2.5) percent development fee, unless otherwise exempted below.
 - ii. The 2.5 percent fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.
 - iii. Non-residential developments shall be exempt from the payment of non-residential development fees in accordance with the exemptions required pursuant to P.L.2008, c.46, as specified in the Form N-RDF “State of New Jersey Non-Residential Development Certification/Exemption” Form. Any exemption claimed by a developer shall be substantiated by that developer.

- iv. A developer of a non-residential development exempted from the non-residential development fee pursuant to P.L.2008, c.46 shall be subject to it at such time the basis for exemption no longer applies, and shall make the payment of the non-residential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the non-residential development, whichever is later.
- v. If a property which was exempted from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid non-residential development fees under these circumstances may be enforceable by the City as a lien against the real property of the owner.

5. Collection procedures

- a) Upon the granting of a preliminary, final or other applicable approval, for a development, the applicable approving authority shall direct its staff to notify the construction official responsible for the issuance of a building permit.
- b) For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" to be completed as per the instructions provided. The Developer of a non-residential development shall complete Form N-RDF as per the instructions provided. The construction official shall verify the information submitted by the non-residential developer as per the instructions provided in the Form N-RDF. The Tax assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.
- c) The construction official responsible for the issuance of a building permit shall notify the local tax assessor of the issuance of the first building permit for a development which is subject to a development fee.
- d) Within 90 days of receipt of that notice, the municipal tax assessor, based on the plans filed, shall provide an estimate of the equalized assessed value of the development.
- e) The construction official responsible for the issuance of a final certificate of occupancy notifies the local assessor of any and all requests for the scheduling of a final inspection on property which is subject to a development fee.
- f) Within 10 business days of a request for the scheduling of a final inspection, the municipal assessor shall confirm or modify the previously estimated equalized assessed value of the improvements of the

development; calculate the development fee; and thereafter notify the developer of the amount of the fee.

- g) Should the City fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in subsection b. of section 37 of P.L.2008, c.46 (C.40:55D-8.6).
- h) Fifty percent of the development fee shall be collected at the time of issuance of the building permit. The remaining portion shall be collected at the issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at issuance of certificate of occupancy.
- i) Appeal of development fees
 - 1) A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, collected fees shall be placed in an interest bearing escrow account by the City. Appeals from a determination of the Board may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.
 - 2) A developer may challenge non-residential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest bearing escrow account by the City. Appeals from a determination of the Director may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

6. Affordable Housing trust fund

- a) There is hereby created a separate, interest-bearing housing trust fund to be maintained by the Chief Financial Officer of the City for the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls.
- b) The following additional funds shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:

1. payments in lieu of on-site construction of affordable units;
 2. developer contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multi-story attached development accessible;
 3. rental income from municipally operated units;
 4. repayments from affordable housing program loans;
 5. recapture funds;
 6. proceeds from the sale of affordable units; and
 7. any other funds collected in connection with the City's affordable housing program.
- c) Within seven days from the opening of the trust fund account, the City shall provide COAH with written authorization, in the form of a three-party escrow agreement between the municipality, the bank, and COAH to permit COAH to direct the disbursement of the funds as provided for in N.J.A.C. 5:97-8.13(b).
- d) All interest accrued in the housing trust fund shall only be used on eligible affordable housing activities approved by COAH.

7. Use of funds

- a) The expenditure of all funds shall conform to a spending plan approved by COAH. Funds deposited in the housing trust fund may be used for any activity approved by COAH to address the City's fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls, rehabilitation, new construction of affordable housing units and related costs, accessory apartment, market to affordable, or regional housing partnership programs, conversion of existing non-residential buildings to create new affordable units, green building strategies designed to be cost saving and in accordance with accepted national or state standards, purchase of land for affordable housing, improvement of land to be used for affordable housing, extensions or improvements of roads and infrastructure to affordable housing sites, financial assistance designed to increase affordability, administration necessary for implementation of Housing Element and Fair Share Plan, or any other activity as permitted pursuant to N.J.A.C. 5:97-8.7 through 8.9 and specified in the approved spending plan.
- b) Funds shall not be expended to reimburse the City for past housing activities.
- c) At least 30 percent of all development fees collected and interest earned shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipal Fair Share Plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability

assistance to those households earning 30% or less of median income by region.

- i. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, and assistance with emergency repairs.
 - ii. Affordability assistance to households earning 30% or less of median income may include buying down the cost of low or moderate income units in the municipal Fair Share Plan to make them affordable to households earning 30% or less of median income. The use of development fees in this manner shall entitle the City to bonus credits pursuant to N.J.A.C. 5:97-3.7.
 - iii. Payments in lieu of constructing affordable units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.
- d) The City may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including the requirement for affordability assistance, in accordance with N.J.A.C. 5:96-18.
- c) No more than 20 percent of all revenues collected from development fees may be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to develop or implement a new construction program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program. In the case of a rehabilitation program, no more than 20 percent of the revenues collected from development fees shall be expended for such administrative expenses. Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with COAH's monitoring requirements. Legal or other fees related to litigation opposing affordable housing sites or objecting to the Council's regulations and/or action are not eligible uses of the affordable housing trust fund.

8. Monitoring

- a) The City shall complete and return to COAH all monitoring forms included in monitoring requirements related to the collection of development fees from residential and non-residential developers, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, barrier-free escrow funds, rental income, repayments from affordable housing program loans, and any other funds collected in connection with the City's housing program, as well as to the expenditure of revenues and implementation of the plan certified by COAH or approved by the court. All monitoring reports shall be

completed on forms designed by COAH.

9. Ongoing collection of fees

- a) The ability for the City to impose, collect and expend development fees shall expire with its substantive certification from COAH or judgment of compliance from the court (as the case may be) unless the City has filed an adopted Housing Element and Fair Share Plan with COAH, has petitioned for substantive certification or the entry of a judgment of compliance from the court, and has received COAH's approval of its development fee ordinance. If the City fails to renew its ability to impose and collect development fees prior to the expiration of substantive certification or its judgment of compliance, it may be subject to forfeiture of any or all funds remaining within its municipal trust fund. Any funds so forfeited shall be deposited into the "New Jersey Affordable Housing Trust Fund" established pursuant to section 20 of P.L.1985, c.222 (C.52:27D-320). The City shall not impose a residential development fee on a development that receives preliminary or final site plan approval after the expiration of its substantive certification or judgment of compliance, nor shall the City retroactively impose a development fee on such a development. The City shall not expend development fees after the expiration of its substantive certification or judgment of compliance.

SECTION 2. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the Court to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged, and the remainder of this Ordinance shall remain valid and in full force and effect.

SECTION 3. This Ordinance shall take effect upon final adoption and publication in accordance with the law.


NOTICE

The above-entitled ordinance was passed on first reading at a meeting of the Common Council of the City of Beverly on December 9, 2008. It will be further considered for final passage after a public hearing at the regularly scheduled meeting to be held on December 23, 2008 at the City Hall, Council Chambers, 446 Broad Street, Beverly, New Jersey, at 7:00 p.m. at which time and place any persons desiring to be heard upon the same will be given the opportunity to be heard.

Copies of this ordinance will be made available at the Municipal Clerk's office to members of the general public who shall request them.

Barbara Sheipe, RMC
City Clerk

I hereby certify that the foregoing
is a true copy of a Resolution/Ordinance
duly adopted by the Governing Body
of the City of Beverly, County of
Burlington, State of New Jersey, at
a meeting held on 11-29-2022



Signature of Official

6. Spending Plan

City of Beverly Spending Plan

INTRODUCTION

The City of Beverly has prepared a Housing Element and Fair Share Plan that addresses its regional fair share of the affordable housing need in accordance with N.J.S.A. 40:55D-28b(3), the Fair Housing Act (N.J.S.A. 52:27D-301) and the regulations of the NJ Council on Affordable Housing found in N.J.A.C. 5:96-1 et seq. and N.J.A.C. 5:97-1 *et seq.* A development fee ordinance creating a dedicated revenue source for affordable housing will be adopted in January 2008. The ordinance will establish the City of Beverly's affordable housing trust fund for which this spending plan is prepared.

As of July 17, 2008, City of Beverly has collected -\$0- and expended \$0, resulting in a balance of -\$0-. Accumulated interest income to date is -\$0- and is included in the gross figure, above. All development fees, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, and interest generated by the fees are and have been deposited in a separate interest-bearing affordable housing trust fund in Susquehanna Bank, for the purposes of affordable housing. These funds shall be spent in accordance with N.J.A.C. 5:97-8.7 through -8.9 as described in the sections that follow.

1. REVENUES FOR CERTIFICATION PERIOD

To calculate a projection of revenue anticipated during the period of third round substantive certification, the City of Beverly considered residential and nonresidential projects which have had development fees imposed upon them at the time of preliminary or final development approvals, all projects currently before the planning and zoning boards for development approvals that may apply for building permits and certificates of occupancy, and future development that is likely to occur based on historical rates of development.

The City's revenues have been generated from residential and non-residential development impact fees. While certain payments in lieu of construction were imposed, Chapter 46 of P.L. 2008 has eliminated the ability of municipalities to collect such fees from projects that have not yet received a certificate of occupancy. Since that applies to every potential payment in lieu of construction fee, the City does not anticipate any actual or future payments in lieu of construction for affordable housing.

The table on the following page indicates anticipated revenue to be generated from development fees.

Table SP-1. Projected Revenues-Housing Trust Fund - 2008 through 2018

Period Source of Funds	7/18/08 - 12/31/08	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
Development fees												
Approved Development	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Development Pending Approval	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Projected Development	\$0	\$0	\$0	\$0	\$0	\$0	\$62,500	\$62,500	\$62,500	\$62,500	\$62,500	\$312,500
Interest	\$0	\$0	\$0	\$0	\$0	\$0	\$938	\$1,000	\$1,250	\$1,500	\$1,750	\$6,438
Total	\$0	\$0	\$0	\$0	\$0	\$0	\$63,438	\$63,500	\$63,750	\$64,000	\$64,250	\$318,938

City of Beverly projects a total of \$318,938 to be collected between July 18, 2008 and December 31, 2018, including interest, to be used for affordable housing purposes. The total including the amount in the account is projected to be \$318,938.

2. ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS

The following procedural sequence for the collection and distribution of development fee revenues shall be followed by the City of Beverly.

Collection of Development Fee Revenues

As stipulated in Chapter 30, Land Use and Development Regulations of the Land Use Ordinance (Section 30-303 to 30-304 of the codified ordinances of the municipality) all collection of development fee revenues will be consistent with local regulations for both residential and non-residential developments and in accordance with N.J.A.C. 5:96 et seq., N.J.A.C. 5:97 et seq. and P.L.2008, c.46, sections 8 (N.J.S. 52:27D-329.2) and 32-38 (N.J.S. 40:55D-8.1 through -8.7).

Distribution of Development Fee Revenues

Requests for distribution of funds will first be made to the Municipal Housing Liaison for eligible activities. The Municipal Housing Liaison will evaluate the request and provide a synopsis and recommendation to the City Clerk/Administrator. The request for funds will detail the amount requested, the beneficiary of the distribution, the use of funds and the time line for distribution. In this request for funds and determination of eligible activities the municipal staff may be assisted by the City Attorney. Upon examination and approval, the City Clerk/Administrator will transmit the requested amount to the Chief Financial Officer (CFO) of the municipality. If sufficient funds are available, the requested amount will be brought before the City Council for approval and the amount encumbered in the affordable housing trust fund by the CFO. City Council approval may take one of any number of forms, including resolution authorizing the expenditure of funds, inclusion of the amount on a bill list for approval, or any other mechanism allowed by statute or rule for the dispersal of funds. Once approved, the payment will be made by the CFO to the designated individual or organization and the proper notation made in the affordable housing trust fund.

3. DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS

Rehabilitation and new construction projects (N.J.A.C. 5:97-8.7)

Beverly will dedicate up to \$159,469 or 50% of its development fee revenue to New Construction programs to create affordable housing in the City's redevelopment districts. These are as follows:

Housing Rehabilitation Programs: \$0. The City will provide funding for low and moderate income owner and renter occupied households. Beverly is a Small Cities eligible community and plans to secure housing rehabilitation funds from this source to address its rehabilitation obligation.

New Construction Programs: \$159,469. The City of Beverly will work collaboratively with private developers, the Beverly Housing Authority and/or local nonprofit

organizations to seek grants and use available housing trust fund resources to support the construction of affordable housing in the Waterfront and Beaunit Mills redevelopment areas. Alternatively, the City may use such fund to support 100% affordable or municipally sponsored projects, including the acquisition of property or construction of infrastructure improvements for such projects; and the construction of alternative living arrangements which provide housing to very low, low and moderate income households.

Affordability Assistance (N.J.A.C. 5:97-8.8)

The following table indicates the amount anticipated being available for affordability assistance to low and moderate income households, including very low income households.

Table SP-2. Projected Minimum Affordability Assistance Requirement.

Actual development fees through July 17, 2008		0
Actual interest earned through July 17, 2008	+	0
Development fees projected, July 18, 2008-2018	+	\$312,500
Interest projected, July 18, 2008-2018	+	\$6,438
Less housing activity expenditures	-	\$0
Total	=	\$318,938
30 percent requirement	x 0.30 =	\$95,681
Less affordability assistance expenditures through 12/31/2004	-	\$0
Projected minimum affordability assistance requirement	=	\$95,681
Projected minimum very low-income affordability assistance requirement	÷ 3 =	\$31,894

The City will also dedicate \$95,681 or 30% of its development fee revenue to Affordability Assistance programs. Examples of such programs are as follows:

- a. Down payment assistance: For projects administered by nonprofits and the Beverly Housing Authority (BHA) the City will provide down payment assistance to income qualified buyers who successfully pass HUD-certified housing counseling courses.
- b. Security deposit assistance: The City will provide security deposit assistance of up to \$1,000 to very-low and low income renter households who successfully apply for housing in nonprofit and BHA developments.

**Spending Plan
City of Beverly**

December 2008

Administrative Expenses (N.J.A.C. 5:97-8.9)

The City will utilize 20% of the development fee revenue or \$63,788 for administrative expenses. Such expenses include:

- a. salaries of staff required to complete annual COAH monitoring tasks, implement housing rehabilitation programs, and coordinate assistance with local nonprofit housing agencies; and
- b. consultant fees to update the Fair Share Plan and to monitor progress.

Table SP-3. Projected Allowed Administrative Expense.

Actual development fees through 7/17/2008		0
Actual interest earned through 7/17/2008	+	0
Development fees projected* 2008-2018	+	\$312,500
Interest projected* 2008-2018	+	\$6,438
Less housing activity expenditures	-	\$0
Total	=	\$318,938
20 percent maximum permitted administrative expenses	x 0.20 =	\$63,788
Less administrative expenditures through 12/31/2004	-	\$0
Projected allowed administrative expenditures	=	\$63,788

4. EXPENDITURE SCHEDULE

The expenditures from the fund as noted in the list on page SP-4 would be paid out over a number of years as Beverly needed to match its affordable housing obligation from year to year through redevelopment projects as based on the implementation schedule.

Table SP-4 - Projected Expenditure Schedule 2009 Through 2018

Program	Number of Units Projected	Funds Expended and/or Dedicated											Total	
		2005 through 7/18/08	7/18/08 through 12/31/08	2009	2010	2011	2012	2013	2014	2015	2016	2017		2018
Waterfront Redevelopment	60	0	0	0	0	0	0	0	0	\$18,750	\$18,750	\$18,750	\$18,750	\$75,000
Bount Mills Redevelopment	4	0	0	0	0	0	0	0	\$12,235	\$12,234	0	0	0	\$84,469
Subtotals	64	0	0	0	0	0	0	0	\$42,235	\$60,984	\$18,750	\$18,750	\$18,750	\$159,469
Affordability Assistance		0	0	0	0	0	0	0	\$18,681	\$19,000	\$19,000	\$19,000	\$20,000	\$95,681
Administration		0	0	0	0	0	0	0	\$12,758	\$12,758	\$12,758	\$12,758	\$12,758	\$63,788
Total Built Units	64	0	0	0	0	0	0	0	\$73,674	\$92,742	\$50,508	\$50,508	\$51,506	\$318,938

5. SHORTFALL OF FUNDS

If the City is unable to secure grants, loans, or other revenue sources for affordable housing, the municipality shall support the implementation of the housing plan with its bonding capacity.

6. SUMMARY

The City of Beverly intends to spend affordable housing trust fund revenues pursuant to N.J.A.C. 5:97-8.7 through 8.9 and consistent with the housing programs outlined in the housing element and fair share plan dated December 17, 2008.

The City of Beverly has a balance of \$0 as of July 17, 2008 and anticipates an additional \$318,938 in revenues before the expiration of substantive certification for a total of \$318,938. The municipality will dedicate \$159,469 towards new construction, \$95,681 to render units more affordable, and \$63,788 to administrative costs. Any shortfall of funds will be offset by local bonding. The municipality will dedicate any excess funds toward expansion of its existing housing rehabilitation program.

SPENDING PLAN SUMMARY	
Balance as of July 17, 2008	\$0
PROJECTED REVENUE July 18, 2008-2018	
Development fees	+ \$312,500
Payments in lieu of construction	+ \$0
Other funds	+ \$0
Interest	+ \$6,438
	= \$318,938
TOTAL REVENUE	
EXPENDITURES	
Funds used for Rehabilitation	- \$0
Funds used for New Construction	
1. Waterfront Redevelopment	- \$75,000
2. Beaunit Mills Redevelopment	- \$84,469
Affordability Assistance	- \$95,681
Administration	- \$63,788
	= \$0
Excess Funds for Additional Housing Activity	
TOTAL PROJECTED EXPENDITURES	= \$318,938
REMAINING BALANCE	= \$0.00

7. Affordable Housing Ordinance

Council on Affordable Housing

City of Beverly Affordable Housing Ordinance

AN ORDINANCE OF CITY OF BEVERLY TO ADDRESS THE REQUIREMENTS OF THE COUNCIL ON AFFORDABLE HOUSING (COAH) REGARDING COMPLIANCE WITH THE MUNICIPALITY'S PRIOR ROUND AND THIRD ROUND AFFORDABLE HOUSING OBLIGATIONS

Section 1. Affordable Housing Obligation

- (a) This Ordinance is intended to assure that low- and moderate-income units ("affordable units") are created with controls on affordability over time and that low- and moderate-income households shall occupy these units. This Ordinance shall apply except where inconsistent with applicable law.
- (b) The City of Beverly's Planning Board has adopted a Housing Element and Fair Share Plan pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, et seq. The Fair Share Plan has been endorsed by the governing body. The Fair Share Plan describes the ways the City of Beverly shall address its fair share for low- and moderate-income housing as determined by the Council on Affordable Housing (COAH) and documented in the Housing Element.
- (c) This Ordinance implements and incorporates the Fair Share Plan and addresses the requirements of N.J.A.C. 5:97, as may be amended and supplemented.
- (d) The City of Beverly shall file monitoring reports with COAH in accordance with N.J.A.C. 5:96, tracking the status of the implementation of the Housing Element and Fair Share Plan. Any plan evaluation report of the Housing Element and Fair Share Plan and monitoring prepared by COAH in accordance with N.J.A.C. 5:96 shall be available to the public at City of Beverly's Municipal Building, Municipal Clerk's Office, 446 Broad Street, Beverly, New Jersey, or from COAH at 101 South Broad Street, Trenton, New Jersey and on COAH's website, www.nj.gov/dca/affiliates/coah.

Section 2. Definitions

The following terms when used in this Ordinance shall have the meanings given in this Section:

"Administrative agent" means the entity responsible for the administration of affordable units in accordance with this ordinance, N.J.A.C. 5:96, N.J.A.C. 5:97 and N.J.A.C. 5:80-26.1 et seq.

"Affirmative marketing" means a regional marketing strategy designed to attract buyers and/or renters of affordable units pursuant to N.J.A.C. 5:80-26.15.

“Affordable” means, a sales price or rent within the means of a low- or moderate-income household as defined in N.J.A.C. 5:97-9; in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.6, as may be amended and supplemented, and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.12, as may be amended and supplemented.

“Affordable development” means a housing development all or a portion of which consists of restricted units.

“Affordable housing development” means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable development.

“Affordable housing program(s)” means any mechanism in a municipal Fair Share Plan prepared or implemented to address a municipality’s fair share obligation.

“Affordable unit” means a housing unit proposed or created pursuant to the Act, credited pursuant to N.J.A.C. 5:97-4, and/or funded through an affordable housing trust fund.

“Age-restricted unit” means a housing unit designed to meet the needs of, and exclusively for, the residents of an age-restricted segment of the population such that: 1) all the residents of the development where the unit is situated are 62 years or older; or 2) at least 80 percent of the units are occupied by one person that is 55 years or older; or 3) the development has been designated by the Secretary of the U.S. Department of Housing and Urban Development as “housing for older persons” as defined in Section 807(b)(2) of the Fair Housing Act, 42 U.S.C. § 3607.

“COAH” means the Council on Affordable Housing, which is in, but not of, the Department of Community Affairs of the State of New Jersey, that was established under the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.).

“DCA” means the State of New Jersey Department of Community Affairs.

“Developer” means any person, partnership, association, company or corporation that is the legal or beneficial owner or owners of a lot or any land proposed to be included in a proposed development including the holder of an option to contract or purchase, or other person having an enforceable proprietary interest in such land.

“Development” means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any use or change in the use of any building or other structure, or of any mining, excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to N.J.S.A. 40:55D-1 et seq.

“Low-income household” means a household with a total gross annual household income equal to 50 percent or less of the median household income.

“Low-income unit” means a restricted unit that is affordable to a low-income household.

“Moderate-income household” means a household with a total gross annual household income in excess of 50 percent but less than 80 percent of the median household income.

“Moderate-income unit” means a restricted unit that is affordable to a moderate-income household.

“Rehabilitation” means the repair, renovation, alteration or reconstruction of any building or structure, pursuant to the Rehabilitation Subcode, N.J.A.C. 5:23-6.

“Rent” means the gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with allowances published by DCA for its Section 8 program. In assisted living residences, rent does not include charges for food and services.

“UHAC” means the Uniform Housing Affordability Controls set forth in N.J.A.C. 5:80-26.1 et seq.

“Very low-income household” means a household with a total gross annual household income equal to 30 percent or less of the median household income.

“Very low-income unit” means a restricted unit that is affordable to a very low-income household.

Section 3. Affordable Housing Programs

The City of Beverly has determined that it will use the following mechanisms to satisfy its affordable housing obligations:

- (a) A Rehabilitation program.
 1. The City of Beverly’s rehabilitation program shall be designed to renovate deficient housing units occupied by low- and moderate-income households such that, after rehabilitation, these units will comply with the New Jersey State Housing Code pursuant to N.J.A.C. 5:28.
 2. Both owner occupied and renter occupied units shall be eligible for rehabilitation funds.
 3. All rehabilitated units shall remain affordable to low- and moderate-income households for a period of 10 years (the control period). For owner occupied units the control period will be enforced with a lien and for renter occupied units the control period will be enforced with a deed restriction.
 4. The City of Beverly shall dedicate a minimum of \$10,000 for each unit to be rehabilitated through this program, reflecting the minimum hard cost of rehabilitation for each unit.
 5. The City of Beverly shall adopt a resolution committing to fund any shortfall in the rehabilitation programs for City of Beverly.
 6. The City of Beverly shall designate, subject to the approval of COAH, one or more Administrative Agents to administer the rehabilitation program in accordance with N.J.A.C. 5:96 and N.J.A.C. 5:97. The Administrative Agent(s) shall provide a rehabilitation manual for the owner occupancy rehabilitation program and a rehabilitation manual for the rental occupancy rehabilitation program to be adopted by resolution of the governing body and

subject to approval of COAH. Both rehabilitation manuals shall be available for public inspection in the Office of the Municipal Clerk and in the office(s) of the Administrative Agent(s).

7. Units in a rehabilitation program shall be exempt from N.J.A.C. 5:97-9 and Uniform Housing Affordability Controls (UHAC), but shall be administered in accordance with the following:
 - i. If a unit is vacant, upon initial rental subsequent to rehabilitation, or if a renter-occupied unit is re-rented prior to the end of controls on affordability, the deed restriction shall require the unit to be rented to a low- or moderate-income household at an affordable rent and affirmatively marketed pursuant to N.J.A.C. 5:97-9 and UHAC.
 - ii. If a unit is renter-occupied, upon completion of the rehabilitation, the maximum rate of rent shall be the lesser of the current rent or the maximum permitted rent pursuant to N.J.A.C. 5:97-9 and UHAC.
 - iii. Rents in rehabilitated units may increase annually based on the standards in N.J.A.C. 5:97-9.
 - iv. Applicant and/or tenant households shall be certified as income-eligible in accordance with N.J.A.C. 5:97-9 and UHAC, except that households in owner occupied units shall be exempt from the regional asset limit.

Section 4. Reserved

Section 5. Reserved

Section 6. Reserved

Section 7. New Construction

The following general guidelines apply to all newly constructed developments that contain low- and moderate-income housing units, including any currently unanticipated future developments that will provide low- and moderate-income housing units.

- (a) Low/Moderate Split and Bedroom Distribution of Affordable Housing Units:
 1. The fair share obligation shall be divided equally between low- and moderate-income units, except that where there is an odd number of affordable housing units, the extra unit shall be a low income unit.
 2. In each affordable development, at least 50 percent of the restricted units within each bedroom distribution shall be low-income units.
 3. Affordable developments that are not age-restricted shall be structured in conjunction with realistic market demands such that:
 - i. The combined number of efficiency and one-bedroom units shall be no greater than 20 percent of the total low- and moderate-income units;
 - ii. At least 30 percent of all low- and moderate-income units shall be two bedroom units;

- iii. At least 20 percent of all low- and moderate-income units shall be three bedroom units; and
 - iv. The remaining units may be allocated among two and three bedroom units at the discretion of the developer.
4. Affordable developments that are age-restricted shall be structured such that the number of bedrooms shall equal the number of age-restricted low- and moderate-income units within the inclusionary development. The standard may be met by having all one-bedroom units or by having a two-bedroom unit for each efficiency unit.
- (b) Accessibility Requirements:
- 1. The first floor of all restricted townhouse dwelling units and all restricted units in all other multistory buildings shall be subject to the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7 and N.J.A.C. 5:97-3.14.
 - 2. All restricted townhouse dwelling units and all restricted units in other multistory buildings in which a restricted dwelling unit is attached to at least one other dwelling unit shall have the following features:
 - i. An adaptable toilet and bathing facility on the first floor;
 - ii. An adaptable kitchen on the first floor;
 - iii. An interior accessible route of travel on the first floor;
 - iv. An interior accessible route of travel shall not be required between stories within an individual unit;
 - v. An adaptable room that can be used as a bedroom, with a door or the casing for the installation of a door, on the first floor; and
 - vi. An accessible entranceway as set forth at P.L. 2005, c. 350 (N.J.S.A. 52:27D-311a et seq.) and the Barrier Free Subcode, N.J.A.C. 5:23-7 and N.J.A.C. 5:97-3.14, or evidence that the City of Beverly has collected funds from the developer sufficient to make 10 percent of the adaptable entrances in the development accessible:
 - A. Where a unit has been constructed with an adaptable entrance, upon the request of a disabled person who is purchasing or will reside in the dwelling unit, an accessible entrance shall be installed.
 - B. To this end, the builder of restricted units shall deposit funds within the City of Beverly's affordable housing trust fund sufficient to install accessible entrances in 10 percent of the affordable units that have been constructed with adaptable entrances.
 - C. The funds deposited under paragraph B. above shall be used by the City of Beverly for the sole purpose of making the adaptable entrance of any affordable unit accessible when requested to do so

by a person with a disability who occupies or intends to occupy the unit and requires an accessible entrance.

- D. The developer of the restricted units shall submit a design plan and cost estimate for the conversion from adaptable to accessible entrances to the Construction Official of the City of Beverly.
- E. Once the Construction Official has determined that the design plan to convert the unit entrances from adaptable to accessible meet the requirements of the Barrier Free Subcode, N.J.A.C. 5:23-7 and N.J.A.C. 5:97-3.14, and that the cost estimate of such conversion is reasonable, payment shall be made to the City of Beverly's affordable housing trust fund in care of the Municipal Treasurer who shall ensure that the funds are deposited into the affordable housing trust fund and appropriately earmarked.
- F. Full compliance with the foregoing provisions shall not be required where an entity can demonstrate that it is site impracticable to meet the requirements. Determinations of site impracticability shall be in compliance with the Barrier Free Subcode, N.J.A.C. 5:23-7 and N.J.A.C. 5:97-3.14.

(c) Maximum Rents and Sales Prices

- 1. In establishing rents and sales prices of affordable housing units, the administrative agent shall follow the procedures set forth in UHAC and in COAH, utilizing the regional income limits established by COAH.
- 2. The maximum rent for restricted rental units within each affordable development shall be affordable to households earning no more than 60 percent of median income, and the average rent for restricted low- and moderate-income units shall be affordable to households earning no more than 52 percent of median income.
- 3. The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units.
 - i. At least 10 percent of all low- and moderate-income rental units shall be affordable to households earning no more than 30 percent of median income.
 - ii. At least 13 percent of all very low-income rental units in the Beaunit Mills redevelopment project and the Waterfront district shall be affordable to households earning 30 percent or less of median income.
- 4. The maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than 70 percent of median income, and each affordable development must achieve an affordability average of 55 percent for restricted ownership units; in achieving this affordability average, moderate-income ownership units must be available for at least three different prices for each bedroom type, and low-

income ownership units must be available for at least two different prices for each bedroom type.

5. In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted units other than assisted living facilities, the following standards shall be used:
 - i. A studio shall be affordable to a one-person household;
 - ii. A one-bedroom unit shall be affordable to a one and one-half person household;
 - iii. A two-bedroom unit shall be affordable to a three-person household;
 - iv. A three-bedroom unit shall be affordable to a four and one-half person household; and
 - v. A four-bedroom unit shall be affordable to a six-person household.
6. In determining the initial rents for compliance with the affordability average requirements for restricted units in assisted living facilities, the following standards shall be used:
 - i. A studio shall be affordable to a one-person household;
 - ii. A one-bedroom unit shall be affordable to a one and one-half person household; and
 - iii. A two-bedroom unit shall be affordable to a two-person household or to two one-person households.
7. The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the unit, including principal and interest (based on a mortgage loan equal to 95 percent of the purchase price and the Federal Reserve H.15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 28 percent of the eligible monthly income of the appropriate size household as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.
8. The initial rent for a restricted rental unit shall be calculated so as not to exceed 30 percent of the eligible monthly income of the appropriate household size as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the rent shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.
9. The price of owner-occupied low- and moderate-income units may increase annually based on the percentage increase in the regional median income limit for each housing region. In no event shall the maximum resale price established by the administrative agent be lower than the last recorded purchase price.

10. The rent of low- and moderate-income units may be increased annually based on the percentage increase in the Housing Consumer Price Index for the United States. This increase shall not exceed nine percent in any one year. Rents for units constructed pursuant to low- income housing tax credit regulations shall be indexed pursuant to the regulations governing low-income housing tax credits.
11. Utilities. Tenant-paid utilities that are included in the utility allowance shall be so stated in the lease and shall be consistent with the utility allowance approved by DCA for its Section 8 program.

Section 8. Affirmative Marketing Requirements

- (a) The City of Beverly shall adopt by resolution an Affirmative Marketing Plan, subject to approval of COAH, compliant with N.J.A.C. 5:80-26.15, as may be amended and supplemented.
- (b) The affirmative marketing plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer, sponsor or owner of affordable housing. The affirmative marketing plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward COAH Housing Region 5 and covers the period of deed restriction.
- (c) *Optional.* The affirmative marketing plan shall provide a regional preference for all households that live and/or work in COAH Housing Region 5 comprised of Burlington, Camden and Gloucester counties.
- (d) The Administrative Agent designated by the City of Beverly shall assure the affirmative marketing of all affordable units consistent with the Affirmative Marketing Plan for the municipality.
- (e) In implementing the affirmative marketing plan, the Administrative Agent shall provide a list of counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
- (f) The affirmative marketing process for available affordable units shall begin at least four months prior to the expected date of occupancy.
- (g) The costs of advertising and affirmative marketing of the affordable units shall be the responsibility of the developer, sponsor or owner, unless otherwise determined or agreed to by the City of Beverly.

Section 9. Occupancy Standards

- (a) In referring certified households to specific restricted units, to the extent feasible, and without causing an undue delay in occupying the unit, the Administrative Agent shall strive to:
 - 1. Provide an occupant for each bedroom;
 - 2. Provide children of different sex with separate bedrooms; and
 - 3. Prevent more than two persons from occupying a single bedroom.
- (b) Additional provisions related to occupancy standards (if any) shall be provided in the municipal Operating Manual.

Section 10. Control Periods for Restricted Ownership Units and Enforcement Mechanisms

- (a) Control periods for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.5, as may be amended and supplemented, and each restricted ownership unit shall remain subject to the requirements of this Ordinance until City of Beverly elects to release the unit from such requirements however, and prior to such an election, a restricted ownership unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented, for at least 30 years.
- (b) The affordability control period for a restricted ownership unit shall commence on the date the initial certified household takes title to the unit.
- (c) Prior to the issuance of the initial certificate of occupancy for a restricted ownership unit and upon each successive sale during the period of restricted ownership, the administrative agent shall determine the restricted price for the unit and shall also determine the non-restricted, fair market value of the unit based on either an appraisal or the unit's equalized assessed value.
- (d) At the time of the first sale of the unit, the purchaser shall execute and deliver to the Administrative Agent a recapture note obligating the purchaser (as well as the purchaser's heirs, successors and assigns) to repay, upon the first non-exempt sale after the unit's release from the requirements of this Ordinance, an amount equal to the difference between the unit's non-restricted fair market value and its restricted price, and the recapture note shall be secured by a recapture lien evidenced by a duly recorded mortgage on the unit.
- (e) The affordability controls set forth in this Ordinance shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to restricted ownership units.
- (f) A restricted ownership unit shall be required to obtain a Continuing Certificate of Occupancy or a certified statement from the Construction Official stating that the unit meets all code standards upon the first transfer of title that follows the expiration of the applicable minimum control period provided under N.J.A.C. 5:80-26.5(a), as may be amended and supplemented.

Section 11. Price Restrictions for Restricted Ownership Units, Homeowner Association Fees and Resale Prices

Price restrictions for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, including:

- (a) The initial purchase price for a restricted ownership unit shall be approved by the Administrative Agent.
- (b) The Administrative Agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the foregoing standards.
- (c) The method used to determine the condominium association fee amounts and special assessments shall be indistinguishable between the low- and moderate-income unit owners and the market unit owners.
- (d) The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of capital improvements. Eligible capital improvements shall be those that render the unit suitable for a larger household or the addition of a bathroom.

Section 12. Buyer Income Eligibility

- (a) Buyer income eligibility for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, such that low-income ownership units shall be reserved for households with a gross household income less than or equal to 50 percent of median income and moderate-income ownership units shall be reserved for households with a gross household income less than 80 percent of median income.
- (b) The Administrative Agent shall certify a household as eligible for a restricted ownership unit when the household is a low-income household or a moderate-income household, as applicable to the unit, and the estimated monthly housing cost for the particular unit (including principal, interest, taxes, homeowner and private mortgage insurance and condominium or homeowner association fees, as applicable) does not exceed 33 percent of the household's certified monthly income.

Section 13. Limitations on indebtedness secured by ownership unit; subordination

- (a) Prior to incurring any indebtedness to be secured by a restricted ownership unit, the administrative agent shall determine in writing that the proposed indebtedness complies with the provisions of this section.
- (b) With the exception of original purchase money mortgages, during a control period neither an owner nor a lender shall at any time cause or permit the total indebtedness secured by a restricted ownership unit to exceed 95 percent of the maximum allowable resale price of that unit, as such price is determined by the administrative agent in accordance with N.J.A.C.5:80-26.6(b).

Section 14. Control Periods for Restricted Rental Units

- (a) Control periods for restricted rental units shall be in accordance with N.J.A.C. 5:80-26.11, as may be amended and supplemented, and each restricted rental unit shall remain subject to the requirements of this Ordinance until the City elects to release the unit from such requirements pursuant to action taken in compliance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, and prior to such an election, a restricted rental unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented, for at least 30 years.
- (b) Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property, and the deed restriction shall be filed by the developer or seller with the records office of the County of Burlington. A copy of the filed document shall be provided to the Administrative Agent within 30 days of the receipt of a Certificate of Occupancy.
- (c) A restricted rental unit shall remain subject to the affordability controls of this Ordinance, despite the occurrence of any of the following events:
 - 1. Sublease or assignment of the lease of the unit;
 - 2. Sale or other voluntary transfer of the ownership of the unit; or
 - 3. The entry and enforcement of any judgment of foreclosure.

Section 15. Price Restrictions for Rental Units; Leases

- (a) A written lease shall be required for all restricted rental units, except for units in an assisted living residence, and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. A copy of the current lease for each restricted rental unit shall be provided to the Administrative Agent.
- (b) No additional fees or charges shall be added to the approved rent (except, in the case of units in an assisted living residence, to cover the customary charges for food and services) without the express written approval of the Administrative Agent.
- (c) Application fees (including the charge for any credit check) shall not exceed five percent of the monthly rent of the applicable restricted unit and shall be payable to the Administrative Agent to be applied to the costs of administering the controls applicable to the unit as set forth in this Ordinance.

Section 16. Tenant Income Eligibility

- (a) Tenant income eligibility shall be in accordance with N.J.A.C. 5:80-26.13, as may be amended and supplemented, and shall be determined as follows:
 - 1. Very low-income rental units shall be reserved for households with a gross household income less than or equal to 30 percent of median income.

2. Low-income rental units shall be reserved for households with a gross household income less than or equal to 50 percent of median income.
 3. Moderate-income rental units shall be reserved for households with a gross household income less than 80 percent of median income.
- (b) The Administrative Agent shall certify a household as eligible for a restricted rental unit when the household is a very low-income, low-income household or a moderate-income household, as applicable to the unit, and the rent proposed for the unit does not exceed 35 percent (40 percent for age-restricted units) of the household's eligible monthly income as determined pursuant to N.J.A.C. 5:80-26.16, as may be amended and supplemented; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:
1. The household currently pays more than 35 percent (40 percent for households eligible for age-restricted units) of its gross household income for rent, and the proposed rent will reduce its housing costs;
 2. The household has consistently paid more than 35 percent (40 percent for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;
 3. The household is currently in substandard or overcrowded living conditions;
 4. The household documents the existence of assets with which the household proposes to supplement the rent payments; or
 5. The household documents proposed third-party assistance from an outside source such as a family member in a form acceptable to the Administrative Agent and the owner of the unit.
- (c) The applicant shall file documentation sufficient to establish the existence of the circumstances in (b) through 5 above with the Administrative Agent, who shall counsel the household on budgeting.

Section 18. Administration

- (a) The position of Municipal Housing Liaison (MHL) for the City of Beverly is established by this ordinance. The Beverly City Council shall make the actual appointment of the MHL by means of a resolution.
1. The MHL must be either a full-time or part-time employee of the City of Beverly.
 2. The person appointed as the MHL must be reported to COAH for approval.
 3. The MHL must meet all COAH requirements for qualifications, including initial and periodic training.
 4. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for the City of Beverly, including the following responsibilities which may not be contracted out to the Administrative Agent:

- DRAFT**
- i. Serving as the municipality's primary point of contact for all inquiries from the State, affordable housing providers, Administrative Agents and interested households;
 - ii. The implementation of the Affirmative Marketing Plan and affordability controls.
 - iii. When applicable, supervising any contracting Administrative Agent.
 - iv. Monitoring the status of all restricted units in the City of Beverly's Fair Share Plan;
 - v. Compiling, verifying and submitting annual reports as required by COAH;
 - vi. Coordinating meetings with affordable housing providers and Administrative Agents, as applicable; and
 - vii. Attending continuing education opportunities on affordability controls, compliance monitoring and affirmative marketing as offered or approved by COAH.
 - (b) The City of Beverly shall designate by resolution of the City Council, subject to the approval of COAH, one or more Administrative Agents to administer newly constructed affordable units in accordance with N.J.A.C. 5:96, N.J.A.C. 5:97 and UHAC.
 - (c) An Operating Manual shall be provided by the Administrative Agent(s) to be adopted by resolution of the governing body and subject to approval of COAH. The Operating Manuals shall be available for public inspection in the Office of the Municipal Clerk and in the office(s) of the Administrative Agent(s).
 - (d) The Administrative Agent shall perform the duties and responsibilities of an administrative agent as are set forth in UHAC and which are described in full detail in the Operating Manual, including those set forth in N.J.A.C. 5:80-26.14, 16 and 18 thereof, which includes:
 - 1. Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by COAH;
 - 2. Affirmative Marketing;
 - 2. Household Certification;
 - 3. Affordability Controls;
 - 4. Records retention;
 - 5. Resale and re-rental;
 - 6. Processing requests from unit owners; and
 - 7. Enforcement, though the ultimate responsibility for retaining controls on the units rests with the municipality.

8. The Administrative Agent shall have authority to take all actions necessary and appropriate to carry out its responsibilities, hereunder.

Section 19. Enforcement of Affordable Housing Regulations

- (a) Upon the occurrence of a breach of any of the regulations governing the affordable unit by an Owner, Developer or Tenant the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, tenant eviction, municipal fines, a requirement for household recertification, acceleration of all sums due under a mortgage, recoupment of any funds from a sale in the violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.
- (b) After providing written notice of a violation to an Owner, Developer or Tenant of a low- or moderate-income unit and advising the Owner, Developer or Tenant of the penalties for such violations, the municipality may take the following action against the Owner, Developer or Tenant for any violation that remains uncured for a period of 60 days after service of the written notice:
1. The municipality may file a court action pursuant to N.J.S.A. 2A:58-11 alleging a violation, or violations, of the regulations governing the affordable housing unit. If the Owner, Developer or Tenant is found by the court to have violated any provision of the regulations governing affordable housing units the Owner, Developer or Tenant shall be subject to one or more of the following penalties, at the discretion of the court:
 - i. A fine of not more than [insert amount] or imprisonment for a period not to exceed 90 days, or both. Each and every day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not as a continuing offense;
 - ii. In the case of an Owner who has rented his or her low- or moderate-income unit in violation of the regulations governing affordable housing units, payment into the City of Beverly's Affordable Housing Trust Fund of the gross amount of rent illegally collected;
 - iii. In the case of an Owner who has rented his or her low- or moderate-income unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's reasonable relocation costs, as determined by the court.
 2. The municipality may file a court action in the Superior Court seeking a judgment, which would result in the termination of the Owner's equity or other interest in the unit, in the nature of a mortgage foreclosure. Any judgment shall be enforceable as if the same were a judgment of default of the First Purchase Money Mortgage and shall constitute a lien against the low- and moderate-income unit.
- (c) Such judgment shall be enforceable, at the option of the municipality, by means of an execution sale by the Sheriff, at which time the low- and moderate-income

unit of the violating Owner shall be sold at a sale price which is not less than the amount necessary to fully satisfy and pay off any First Purchase Money Mortgage and prior liens and the costs of the enforcement proceedings incurred by the municipality, including attorney's fees. The violating Owner shall have the right to possession terminated as well as the title conveyed pursuant to the Sheriff's sale.

- (d) The proceeds of the Sheriff's sale shall first be applied to satisfy the First Purchase Money Mortgage lien and any prior liens upon the low- and moderate-income unit. The excess, if any, shall be applied to reimburse the municipality for any and all costs and expenses incurred in connection with either the court action resulting in the judgment of violation or the Sheriff's sale. In the event that the proceeds from the Sheriff's sale are insufficient to reimburse the municipality in full as aforesaid, the violating Owner shall be personally responsible for and to the extent of such deficiency, in addition to any and all costs incurred by the municipality in connection with collecting such deficiency. In the event that a surplus remains after satisfying all of the above, such surplus, if any, shall be placed in escrow by the municipality for the Owner and shall be held in such escrow for a maximum period of two years or until such earlier time as the Owner shall make a claim with the municipality for such. Failure of the Owner to claim such balance within the two-year period shall automatically result in a forfeiture of such balance to the municipality. Any interest accrued or earned on such balance while being held in escrow shall belong to and shall be paid to the municipality, whether such balance shall be paid to the Owner or forfeited to the municipality.
- (e) Foreclosure by the municipality due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as the same apply to the low- and moderate-income unit. Title shall be conveyed to the purchaser at the Sheriff's sale, subject to the restrictions and provisions of the regulations governing the affordable housing unit. The Owner determined to be in violation of the provisions of this plan and from whom title and possession were taken by means of the Sheriff's sale shall not be entitled to any right of redemption.
- (f) If there are no bidders at the Sheriff's sale, or if insufficient amounts are bid to satisfy the First Purchase Money Mortgage and any prior liens, the municipality may acquire title to the low- and moderate-income unit by satisfying the First Purchase Money Mortgage and any prior liens and crediting the violating owner with an amount equal to the difference between the First Purchase Money Mortgage and any prior liens and costs of the enforcement proceedings, including legal fees and the maximum resale price for which the low- and moderate-income unit could have been sold under the terms of the regulations governing affordable housing units. This excess shall be treated in the same manner as the excess which would have been realized from an actual sale as previously described.
- (g) Failure of the low- and moderate-income unit to be either sold at the Sheriff's sale or acquired by the municipality shall obligate the Owner to accept an offer to purchase from any qualified purchaser which may be referred to the Owner by the

municipality, with such offer to purchase being equal to the maximum resale price of the low- and moderate-income unit as permitted by the regulations governing affordable housing units.

- (h) The Owner shall remain fully obligated, responsible and liable for complying with the terms and restrictions of governing affordable housing units until such time as title is conveyed from the Owner.

Section 20. Appeals

Appeals from all decisions of an Administrative Agent designated pursuant to this Ordinance shall be filed in writing with the Executive Director of COAH.

REPEALER

All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SEVERABILITY

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

EFFECTIVE DATE

This ordinance shall take effect upon passage and publication as provided by law.

8. Redevelopment Plans

The City of Beverly Redevelopment Plan

BURLINGTON COUNTY, NEW JERSEY



October 16, 2007

Prepared for:
THE COMMON COUNCIL OF THE CITY OF BEVERLY

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Table of Contents

I. Introduction	3
The Vision	
Background	
Definitions	
Description of Redevelopment Area	
Identification of Properties	
II. The Redevelopment Plan	14
Goals and Objectives	
Land-Use Element	
Plan Interpretation	
III. Design Standards	21
Building Design & Architecture	
Pedestrian Facilities	
Site Layout & Parking Design	
Streetscape & On site Standards	
Waterfront Promenade Design	
Landscape Design	
IV. Estimation of Relocation	26
V. Proposed Property Acquisition	27
VI. Relationship to Intergovernmental Planning	28
Contiguous Municipalities	
Burlington County	
State Development and Redevelopment Plan	
VII. Affordable Housing Provision	33
VIII. Appendix	34
Existing Zoning Map	
Proposed Zoning Map	
Redevelopment Vision Plan	
Lot and Block Map	

INTRODUCTION

This redevelopment plan, known as 'The City of Beverly Redevelopment Plan' has been prepared for the City of Beverly to provide a coordinated program of development for areas in need of redevelopment.

The Vision

The City of Beverly is a small close knit community seeking a higher quality of life. A traditional Delaware River community, Beverly is surrounded by incredible infrastructure and amenities that can be capitalized upon in order to make this goal a reality. The Train Station and Waterfront flank the city to the north and south while Warren Street and Beverly's historic downtown act as the hub. By capitalizing on the potential of the train and river, this plan seeks to create a 'critical mass' of new housing stock that will infuse life into the downtown and revitalize the city from the outside inward.

Downtown

Downtown Beverly was once a bustling street lined with all of the everyday needs of the community from the barber shop to drugstore. The downtown was where neighbors met to chat, do their daily shopping and simply enjoy the day. This redevelopment plan will strive to return the downtown to its 19th and early 20th century historic character while providing the framework from which a vibrant downtown and 'Arts District' can emerge. The first step will be to bring immediate energy to the downtown by relocating both the City Hall and Police Department to existing structures at the 5-Corners. These facilities will be the hub of the new downtown and will sit on the 'Town Green' that will be constructed at the intersection of Cooper Street and Warren Street. The green will function as a gathering space for the community and will be the central node linking the newly constructed Light Rail Station and the proposed Delaware River Heritage Trail Promenade. The green along with several traffic calming improvements will make great strides in enhancing pedestrian safety in the downtown. As a positive energy begins to return to the downtown, storefronts will be revitalized to their original character and vacancies will begin to be filled.

The Waterfront

The waterfront is perhaps Beverly's most important asset. The first step in revitalizing the waterfront will be the relocation of the sewage treatment plant from the waterfront further south to the existing dredge spoils site known locally as 'The Dunes'. This will allow for the incorporation of the Delaware River Heritage Trail, a trails system planned by the US Park Service that will extend along the Delaware on both the NJ and Pennsylvania sides. A publicly accessible 50' wide setback will be provided along the entire waterfront to allow ample space to accommodate green space, seating and gathering spaces as well as a paved surface for residents to use for cycling, jogging or simply enjoying an evening stroll. Seating areas tucked into pockets of shade trees and native vegetation will provide passive spaces for residents to relax, have lunch or just enjoy the peaceful environment that the river has to offer. At the terminus of the promenade will be the newly constructed ball fields. Complete with parking facilities, ball fields and other amenities, this area is easily accessible from all adjacent neighborhoods.

In addition to the ample open space, newly constructed townhouses and condominiums will line the waterfront along with marina related retail and restaurants. The existing public housing facility

will be redistributed throughout this area in order to better integrate the residents in the fabric of the city. Multi-family homes will be designed in the same architectural character and scale of the large Victorian style homes prominent in the northern end of town to act as a seamless transition between single-family homes and new townhouses. Conveniently located within walking distance of 5-Corners, these new homes will be critical for the successful revitalization of the downtown.

Train Station

At the other end of town, the train station will be capitalized upon as a catalyst for new development along the rail. A commercial hub will be located across from the train station and will provide local residents and commuters with everyday conveniences such as a dry-cleaning drop-off location, barber shop or delicatessen. Additional ground floor retail located throughout this district will provide space for commercial uses that capitalize on the easy accessibility provided by the train. Industrial uses along the tracks will be removed and replaced with new, diverse housing stock that is compatible with adjacent residential uses. At the edge of this area, a new community park will provide ample space for active and passive recreation for the new and existing residents of the neighborhood.

Beverly is a community with great potential and a strong history. Capitalizing on its existing assets, this redevelopment plan meets and exceeds the goal of a higher quality of life. It respects builds upon the city's rich history while looking towards the future.

Background

Statutory Reference (N.J.S.A. 40A:12A-7.a): "[n]o redevelopment project shall be undertaken or carried out except in accordance with a redevelopment plan adopted by ordinance of the municipal governing body, upon its finding that the specifically delineated project area is located in an area in need of development or in an area in need of rehabilitation, or in both..."

This redevelopment plan, known as 'The City of Beverly Redevelopment Plan' has been prepared for the City of Beverly to provide a coordinated program of development for areas in need of redevelopment. The City of Beverly plans to undertake redevelopment activities within the redevelopment area delineated in a Redevelopment Area Preliminary Investigation Study of Beverly.

Pursuant to the resolution of authorization adopted by the Common Council of The City of Beverly on May 13, 1997, the City of Beverly Planning Board prepared a "Preliminary Investigation, 'Need for Redevelopment'". On June 18, 1997 the Planning Board held a hearing for public comment and input regarding the Investigation and, upon hearing no objection, adopted a resolution recommending the Common Council determine the area delineated in the investigation to be a redevelopment area.

Subsequent to determining the area delineated in the investigation to be a redevelopment area, the Common Council authorized, by resolution adopted on June 24, 1997, the Planning Board to prepare a redevelopment plan in accordance to the requirements set forth in N.J.S.A. 40A:12A-1 et seq. The Common Council adopted the redevelopment plan on August 19, 1997.

Since preparing the original redevelopment plan in 1997, the Common Council has undertaken many redevelopment activities and additional planning studies. The "Beverly Waterfront Plan"

dated July 2000) was prepared for improving the waterfront. On November 17, 1999, the City Planning Board adopted a new land use plan element for the master plan. And in August 2000, a Redevelopment Plan was prepared to address the immediate needs of the city.

The redevelopment area was then modified in January 2007 to reflect additional parcels that were deemed in need of redevelopment and the following redevelopment plan was developed accordingly.

Definitions

The following definitions, which are set forth in N.J.S.A. 40A:12A-3 of the RHL, are pertinent to this redevelopment plan:

Redevelopment — means clearance, replanning, development and redevelopment; the conservation and rehabilitation of any structure or improvement, the construction and provision for construction of residential, commercial, industrial, public or other structures and the grant or dedication of spaces as may be appropriate or necessary in the interest of the general welfare for streets, parks, playgrounds, or other public purposes, including recreational and other facilities incidental or appurtenant thereto, in accordance with a redevelopment plan.

Redevelopment area or area in need of redevelopment — means an area determined to be in need of redevelopment pursuant to sections 5 and 6 of P.L.1992, c.79 (C.40A:12A-5 and 40A:12A-6)... a redevelopment area may include lands, buildings, or improvements which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area of which they are a part.

Redevelopment Plan — means a plan adopted by the governing body of a municipality for the redevelopment or rehabilitation of all or any part of a redevelopment area, or an area in need of rehabilitation, which plan shall be sufficiently complete to indicate its relationship to definite municipal objectives as to appropriate land uses, public transportation and utilities, recreational and municipal facilities, and other public improvements; and to indicate proposed land uses and building requirements in the redevelopment area or area in need of rehabilitation, or both.

Redevelopment Project - means any work or undertaking pursuant to a redevelopment plan; such undertaking may include any buildings, land, including demolition, clearance or removal of buildings from land, equipment, facilities, or other real or personal properties which are necessary, convenient, or desirable appurtenances, such as but not limited to streets, sewers, utilities, parks, site preparation, landscaping and administrative, community, health, recreational, educational, welfare facilities.

Rehabilitation — means an undertaking, by means of extensive repair, reconstruction or renovation of existing structures, with or without the introduction of new construction or the enlargement of existing structures, in any area that has been determined to be in need of

rehabilitation or redevelopment, to eliminate substandard structural or housing conditions and arrest the deterioration of that area.

Description of Redevelopment Area

The redevelopment area is located in the southeast quadrant and northern central portion of the City of Beverly and extends from the railroad/Railroad Avenue in the south to the Delaware River in the north. The area in need of redevelopment is occupied by a variety of uses, including residential, commercial, mixed residential and commercial, industrial, public and quasi-public uses, vacant parcels, and road rights-of-way. The area along Warren Street and Cooper Street form the commercial district of the city which is occupied by retail and service establishments and commercial establishments with apartments overhead. Industrial buildings are located along Railroad Avenue and Pine Street from Broad Street to Chestnut Street. The balance of the area in need of redevelopment is residential with public and quasi-public uses interspersed among the residential neighborhoods. Public housing is located along Magnolia and Second Streets. City Hall and Hope Hose Company No.2 area located on Broad Street in the vicinity of Oak Street, and Farnum Park is located on Pine, Jennings and Parker Streets. The city's post office is located at Warren and Broad Streets. Beverly Fire company No. 1 is located on Bridge, Laurel and Oak Streets. Memorial Hall Library is located on Cooper Street in the vicinity of Oak Street. Churches are located on Warren Street between Vankirk and Van Sciver Streets at Warren, Wilmerton and Jennings Streets and at Broad and front Streets. One vacant church is located along Locust Street between Second and Third Streets. St. Stephen's Cemetery is located at Oak and Bridge Streets. Memorial Park is located along Veterans Drive between Cooper, Front and Broad Streets.

Phasing of Redevelopment Area

The redevelopment area is divided into Phases. This plan encompasses Phases 1, 2 and 3 as outlined on Exhibit 4. It is anticipated that activities and acquisitions associated with this redevelopment plan will begin in the Phase 1 Areas and gradually progress through Phases 2 and 3. However, as construction commences, an overlap of the timing and 'build-out' of the Phases is anticipated.

Identification of Properties

The following properties identified by block and lot numbers as assigned by the Tax Assessor of the City of Beverly are located within the two phases of the redevelopment area:

Block Number	Lot Number(s)
1	1.01-1.03 2.01-2.03 3.01-3.03
10	18
25	1 2 3 4 5.01 5.02 6.01 6.02 7 8 9 10 11 12 13
28	1 2 3 4 5 6 7 8 8.01 9 10.01 10.02
42	1.01 - 1.16 2
43	3
46	13
57	10 11

Block Number	Lot Number(s)
59	4 5 6 7 8 9 10 11 12
60	4 5 6 7 8 9 10 11 12 13 14 15 16
61	11 12 13 14 15 16 17
62	6 7 8
64	1.01 1.02 3 4 5 6
65	1

I. INTRODUCTION

Identification of Properties (continued)

Block Number	Lot Number(s)
66	1
	2
	3
	4
	5
	6
	7
67	1
	2.01
	2.02
	3
	4
	5
	6
	7
	8
	9
68	9
69	1
	2
70	1
	2
	3
	4
	5
	6
71	1
	2
	3
	4.01
	4.02
	5
	6
	7
	8
	9
	10

Block Number	Lot Number(s)
72	1
	2
	3
	4
	5
	6
	7
73	1
	2
	3
	4.01
	4.02
	5
	6
	7
	8
	9
	10
	11
74	1
	2
	3
	4
	5
	6
	7
	8
	9
	10
	11
	12
	13
	14
75	1
	2
	3
	4
	5

I. INTRODUCTION

Identification of Properties (continued)

Block Number	Lot Number(s)
76	1.01
	1.02
	1.03
	2
	3
	4
	5
77	1
	2
	3
	4
	5
	6.01
	6.02
	6.03
	6.04
	7
	8
	9
	10
	11
78	1.01
	1.02
	2
	3
	4
	5
	6
	7
	8
	9
	10
	11.01
	11.02
	12
	13.01
	13.02
	14
	15
	16

Block Number	Lot Number(s)
79	1
	2
	3
	4
	5
	6
	7
	8.01
	8.02
	9
	10
	11
	12
80	1
	2
	3
	4
	5
	7
	8
84	1
	2
85	1
	2
	3
	4.01
	4.02
87	5
	1
	2
	3
	4
	5
	6
	7
	8
	9
	10
	11
	12
	13
	14

I. INTRODUCTION

Identification of Properties (continued)

Block Number	Lot Number(s)
88	1
	2
	3
	4
	5
	6
	7
	8
	9
	10
	11.01
	11.02
	12.01
	12.02
	12.03
	13
	14
	15
	16
	17
	18
	19
	20
	21
89	1
90	1
	2
	3
	4
	5
	6
	7
	8
	9
	10
	11
	11.01
	12
	13
	14
	15

Block Number	Lot Number(s)
90 (cont)	16.01
	16.02
	17
	18
	19
	20
	21
	22
	23
	24
	25.01
	25.02
	26.01
	26.02
	27.01
	27.02
	27.03
	28
	29
	30.01
	30.02
	31.01
	31.02
	31.03
	32.01
	32.02
	32.03
	33
	34
91	1
55	4
	5
	6
	7
	8
	9
	10

Identification of Properties (continued)

Block Number	Lot Number(s)
56	1
	2
	3
	4
	5
	6
	7
	8.01
	8.02
	9
	10
	11
57	12
	13
	14
	15
	16
	17
59	1
	2
	3
60	1
	2
	3.01
	3.02
61	1
	2
	3
	4
	5
	6
	7
	8
	9
	10
62	1
	2
	3
	4
	5

Block Number	Lot Number(s)
68	1
	2
	3
	4
	5
	6
	7
	8
18	1
	2
19	1
20	1
21	1.01
	1.02
	1.03
	2
	3
22	4
	1
	2
	3
	4
	5
	6.01
	6.02
	7.01
	7.02
23.01	1
	2
	3
	4
	5
	6
	7
	8
	9
	10
	11
	12
	13
	14
	15

I. INTRODUCTION

Identification of Properties (continued)

Block Number	Lot Number(s)
23.02	1
	2
	3
	4
	5.01
	5.02
	6
	7
	8
	9
	10.01
	10.02
	11
	12
	13
	14
	15
	16
	17
24	1
	2
	3
	4
	5.01
	5.02
	6
	7
	8
	9
	10.01
	10.02
26	1
	2.01
	2.02
	3
	4

27	1
	2
	3
	4
	5
	6
	7
	8
	9
	10
	11
47	1
	2
48	1
49	1
	2
	3
	4.01
	4.02
	5
	6
	7
	8
	9
	10
	11
	12
50	1
	2
	3
	4
	5
	6
	7
	8
	9
51	1.01

I. INTRODUCTION

Identification of Properties (continued)

Block Number	Lot Number(s)
	2.01
	2.02
	3
	4
	5
	6
	7
	8
	9
53	1
	2.01
	2.02
	3.01
	3.02
	4
	5.01
	5.02
	6.01
	6.02
	7
	8
	9
	10
	11
	12.01
	12.02
54	1
	2
	3
	4
	5
	6
	7
	8
	9
	10
	11
	12.01
	12.02
54 (cont)	13

Block Number	Lot Number(s)
	14
	15.01
	15.02
	16
	17
55	1.01
	1.02
	1.03
	2.01
	2.02
	3
	11
	12
	13
57	1
	2
	3
	4
	5
	6
	7
	8
	9
	18
	19
	20
	21
58	1
	2
	3
	4
	5
	6
	7
	8

THE REDEVELOPMENT PLAN

Goals & Objectives

The purpose of this redevelopment plan is to capitalize on Beverly's existing resources to deliver a high quality of life to the existing and future residents of the city and surrounding areas. The following are a list of goals and objectives, derived from the City of Beverly Master Plan, which we will strive to achieve within this redevelopment plan:

- Encourage residential development in locations and at densities which are compatible with existing development patterns
- Preserve and Enhance existing residential neighborhoods throughout the redevelopment area and rehabilitate substandard housing.
- Locate or relocate public, commercial, service and office uses at sites and in locations which are most suitable for their use.
- Protect, enhance and capitalize upon natural environmental resources associated with the development of a riverfront community.
- Encourage a development pattern which will protect and enhance the long term economic, social and welfare interests of present and future residents of the city.
- Revitalize the downtown and restore it to its historical 19th century character.
- Capitalize upon the river to enhance development and spur the revitalization of the downtown.
- Provide and maintain access to the waterfront for all of the public to enjoy.
- Bring the small town character back to Beverly and improve the quality of life for all residents.
- Provide a diverse and sufficient housing stock throughout the city that abides by all zoning and building regulations.
- Ensure that all future development provides for sufficient air, light and open space for all residents.

Land-Use Element

The following text outlines proposed modifications to existing zoning and recommended actions for the Redevelopment Area (See Appendix). The redevelopment entity may authorize alternate development scenarios from those listed above provided that the goals and objectives identified herein are not compromised. The commercial space anticipated is supplementary to and reliant upon the residential. Aside from revitalizing existing retail spaces, no more than 100 KSF of new commercial space is projected.

1. C-3 – Waterfront Development District

In order to provide ample open space, air and light and capitalize on this waterfront location, a contiguous waterfront district shall be established. This will allow for the revitalization of the public open space and waterfront, the reconstruction of public ball fields and the ability to create sufficient residential density to recharge and rebuild the downtown commercial district. These zoning revisions anticipate an increase of 300-350 new residential units within this zone.

Recommended Actions

- a. The existing C-3 Zone shall be expanded to include all properties north of 2nd Street between the western redevelopment area boundary and Cooper Street.
- b. This district will capitalize on the waterfront location and act as a catalyst for the revitalization of the downtown by increasing housing density in under-developed or dilapidated areas and rehabilitating and improving existing housing.
- c. The existing HUD Public Housing shall be redistributed throughout redevelopment area within the revised R-3 and C-3 Districts (north of Warren Street) to better integrate them with market rate housing. Groupings shall be in manageable sized groupings of no less than 12 units or as acceptable to HUD. HUD units should be consistent in design and architecture with adjacent Market Rate housing and should visually 'blend' with adjacent neighborhoods.
- d. The existing sewage treatment facility shall be relocated to Block 1 Lots 1.01-3.03. A landscaped and bermed buffer of a minimum of 25' in width shall be provided between the new facility and any adjacent residential neighborhoods. If possible, the new facility should be located below grade. Any above grade components such as offices etc. should be consistent in design and architecture with that of traditional/local riverfront buildings.
- e. Existing street grid shall be maintained and continued through undeveloped parcels. All existing streets perpendicular to the river shall extend to the proposed waterfront promenade.
- f. A 50' setback shall be required along entire waterfront edge as measured from the existing mean high-water line to be preserved as public open space. This space will accommodate the Delaware River Heritage Trail and shall consist, at a minimum, of the following elements:
 - i. 25' Clear paved area for bicycle and pedestrian use
 - ii. Vegetative buffers and shade trees
 - iii. Seating, trash receptacles and bicycle racks
 - iv. Pedestrian Scale Lighting (10'-14' Height)
 - v. Directional and Informational signs
 - vi. Other similar public open space + recreational elements

- vii. A public recreation pier may be located along the waterfront pending feasibility and permitting
- g. The remaining area of Block 1 Lots 1.01-1.03 not required for the relocated sewage treatment plant shall be preserved as public open space and may provide:
 - i. New baseball and recreational fields
 - ii. Direct access from proposed 50' Delaware River Heritage Trail and adjacent neighborhoods.
 - iii. Sufficient parking for proposed uses
 - iv. A "Landmark" tower + viewing station - This is envisioned to be a public, open air tower for viewing the river + birding with a maximum height of 3 stories or 45', whichever or less. This will be an element that will act as a landmark, visible from the River.
- h. Underlying land-use and zoning shall remain in effect with the permitted use overlay as described below.
- i. New Detached Single-Family housing shall NOT be permitted
- j. A restaurant shall be permitted at the north end of Cooper street where it meets the water as shown in exhibit 4 of the appendix.

Permitted Uses

- a. All underlying uses permitted within the C-3 Zone as outlined in The City of Beverly Zoning.
- b. A maximum density of 15 Units/acre will be permitted in this area.
- c. Condominiums – A principle structure containing a combination of flat and duplex residential units accessed either directly from street level or through a common corridor, provided:
 - i. Min. Lot Area: 20000 sf
 - ii. Min. Lot Width: 100'
 - iii. Min. Lot Depth: 200'
 - iv. Maximum Stories – 3.5
 - v. Maximum Height – 50' to mean roof height
 - vi. Side yard Setback – 10'
 - vii. Front Yard Setback – 10'
 - viii. Parking Spaces – 2 spaces on-site/dwelling unit
- d. Townhouses
 - i. Minimum Lot Area 2000 sf
 - ii. Minimum Lot Width: 20'
 - iii. Min. Lot Depth: 100'
 - iv. Maximum Stories – 3.5
 - v. Maximum Height – 50' to mean roof height
 - vi. Side yard Setback – 5'
 - vii. Front Yard Setback – 10'
 - viii. Parking access in rear of unit whenever feasible
 - ix. Parking Spaces – 2 spaces on-site/dwelling unit
 - x. Maximum number of contiguous dwelling units – 9 Units
 - xi. Accessory Apartments - When detached garages are provided in the rear of townhouses and accessed by a vehicular alley, it is encouraged that one affordable accessory rental apartment be provided above the garage structure.
- e. Multi-Family Dwellings – Dwellings containing multiple dwelling units shall be permitted providing:

- i. Maximum Dwelling Units/building: 5 Dwelling Units\
- ii. Compliance with Schedule of Area and Bulk Requirements per City of Beverly Zoning
- iii. Parking Spaces – 2 spaces on-site/dwelling unit

2. R-3 – Single and Multifamily Residential District

The R-3 Zone will act as a transitional buffer between higher density commercial areas and single family residential areas. This will be accomplished by replacing existing, often illegal, multi-family homes with a new multi-family housing type that respects the historic architectural character of the area. An expansion of this zone is required to maintain a transitional zone between the revised C-3 District and the existing R-2 District.

Recommended Actions

- a. The remaining R-3 Zone shall be expanded to include all property between Cooper Street and Walnut Street, west of the existing C-3 Zone.
- b. The R-3 area shall retain and enhance its diverse mix of residential housing types with both single, 2-family and multi-family houses of no more than 5 dwelling units.
- c. Vacant lots shall be infilled with single or multi-family dwellings provided these new buildings match the existing architectural context and scale.
- d. Illegal or sub-standard multi-family dwellings shall be either renovated or reconstructed and brought into compliance with local zoning and housing regulations. A certain number of these units shall be designated as affordable housing units (number and location to be determined) in accordance with COAH and the city's Housing Element and Fair Share Plan or other adopted ordinances.
- e. Underlying land use and zoning shall remain in effect with the permitted use overlay as described below.
- f. A "medical arts facility" is proposed at the corner of Magnolia Street and Warren Street to accommodate various medical services.

Permitted Uses

- a. Townhouses
 - i. Minimum Lot Area 2000 sf
 - ii. Minimum Lot Width: 20'
 - iii. Min. Lot Depth: 100'
 - iv. Maximum Stories – 3.5
 - v. Maximum Height – 50' to mean roof height
 - vi. Side yard Setback – 5'
 - vii. Front Yard Setback – 10'
 - viii. Parking access in rear of unit whenever feasible
 - ix. Parking Spaces – 2 spaces on-site/dwelling unit
 - x. Maximum number of contiguous dwelling units – 9 Units
- b. Multi-Family Dwellings – Dwellings containing multiple dwelling units shall be permitted providing:
 - i. Maximum Dwelling Units/building: 5 Dwelling Units\
 - ii. Compliance with Schedule of Area and Bulk Requirements per City of Beverly Zoning

- iii. Parking Spaces – 2 spaces on-site/dwelling unit
- c. Houses of Worship/Churches as well as ancillary uses such as day care and school facilities shall be permitted as a conditional use, providing:
 - i. Minimum Lot Size: 1 Acres
 - ii. Parking – All required parking is provided off street
- d. Medical Arts Facility - as noted on Exhibit 4 of the appendix and described above.

3. R-2 – Single Family Residential District

The goal of revitalizing the downtown will be accomplished by maintaining density on Cooper Street. An overlay zone must be created that allows for certain moderately dense housing types along Cooper Street.

Recommended Actions

- a. The remaining R-2 Zone shall allow all underlying permitted uses.
- b. An overlay zone shall be created for all properties fronting on Cooper Street that allows 2-family and multi-family dwelling units provided that they comply with R-3 Zoning regulations.
- c. Streetscape improvements shall be provided along Cooper Street linking the Train Station to the waterfront. These streetscape improvements should include sufficient sidewalks, street trees, lighting, crosswalks and curb ramps and signed and/or designated bicycle lanes.
- d. Retail fronts that have been located on houses along Cooper Street

Permitted Uses

- a. All uses currently permitted in the underlying R-2 Zone.
- b. 2-Family and Multifamily Dwelling Units provided that:
 - i. The property fronts on Cooper Street
- c. Houses or Worship / Churches provided that they comply with R-3 Zoning Regulations.

4. T-1 Transit Oriented Development District

To encourage transit oriented development and capitalize on the presence of the new light rail, a new zone shall be created. This district, known as T-1 Transit Development District will allow for a mixed-use and higher residential density with some ground floor commercial retail.

Recommended Actions

- a. A new district shall be created along the existing rail lines to promote transit oriented development and capitalize on this infrastructure. This district shall include all existing I - Industrial District and C-1 - Commercial District located along the rail line as well as certain parcels currently zoned R-2 and R-3 that are also located in proximity to the rail line. These existing districts shall be replaced by the new T-1 Transit Oriented Development District.

- b. Railroad Avenue shall be widened to accommodate 2-way traffic throughout it's length. Additional widening on the roadway to accommodate NJ Transit 'double tracking' shall be investigated.

Permitted Uses

- a. All residential uses permitted in C-3 District with the following parking provisions due to the relationship to public transit:
 - i. Parking – A reduced parking requirement of 1 space per unit will be permitted due to proximity to train station and shall be per NJ R.S.I.S.
- b. Commercial/Mixed Use Development – Mixed use development with commercial at the ground floor and residential condominiums above shall be permitted on Block 77 Lot 9 and other parcels in this district pursuant to the C-3 District at the discretion of the Planning Board and as market conditions allow, providing:
 - i. Retail shall be convenience/neighborhood retail only (i.e. convenience store, delicatessen, dry cleaning/laundry services etc.
 - ii. Parking for said retail shall be accommodated on-street with short-term parking regulations. No additional retail parking shall be required on-site.
- c. Specialty Food Establishment – A food establishments that allows for production and sales of food products for both wholesale and retail use (i.e. bakery etc.)
- d. Restaurants / Cafes - Restaurants are encouraged to have outdoor dining/sidewalk cafes. Establishments with drive-through pick-up shall not be permitted.
- e. Requirements for Block 77, Lot 9 in the new T-1 Transit Oriented District shall be governed and regulated by the provisions set forth in the previous Redevelopment Plan for the City of Beverly amended and adopted by the City Council in July 2007.

5. C-2 Downtown Commercial District

The goal of revitalizing the Commercial District will require several infrastructure improvements including the construction of a new 'town green' and the relocation of the City Hall and Police Department. In addition, it is critical that sufficient, suitable residential housing be provided to energize the downtown and keep 24/7 eyes on the street. As the downtown begins to reemerge, the development of "arts and Cultural" district and associated uses should be encouraged. As these elements are implemented, retail vitality will improve and the downtown character that is desired will begin to surface.

Actions

- a. The limits of the C-2 District shall remain as it exists
- b. Apartments over first floor retail shall be renovated and expanded. Where possible, groupings of these dwelling shall be designated as affordable housing in accordance with COAH regulations.
- c. Retail storefronts and facades shall be renovated and restored to maintain the historic 'small town' character of downtown Beverly.
- d. Streetscape along Warren and Cooper Streets shall be upgraded to be safe for pedestrian and aesthetically pleasing. Improvements shall include at a minimum:
 - i. Period lighting
 - ii. Benches, trash receptacles, bike racks
- e. A traditional 'Town Green' shall be created at the intersection of Cooper and Warren Streets. This green shall accommodate small gatherings and city events and shall provide at a minimum:

- i. Shade Trees
- ii. Street furniture
- iii. Memorial plaque
- iv. Open lawn
- f. In order to bring 'eyes' to the downtown and help to 'activate' the new town green, The Police Station shall be relocated to Block 61 Lot 1 and The City Hall shall be relocated to Block 62 Lot 1-3 (In the existing bank building). Both shall occupy existing structures if possible.
- g. Public Parking lots shall be constructed at strategic locations. These needs and locations are to be determined by the redeveloper in coordination with the city. Vacant and dilapidated lots should be investigated.
- h. Traffic calming and pedestrian safety measures for the '5-Points' intersection as outlined in the Beverly/Edgewater Park TOD Study shall be investigated and implemented as determined to be feasible.

Permitted Uses

- a. All uses currently permitted in the underlying C-2 Zone with the exception of Single Family and 2-Family houses
- b. Commercial – Commercial retail space should be located at street level with residential condo apartments above whenever feasible. Retail space should be community oriented retail and commercial goods and services providing:
 - i. Minimum Lot Area 5000 sf
 - ii. Minimum Lot Width: 50'
 - iii. Maximum Stories – 3.5
 - iv. Maximum Height – 50' to mean roof height
 - v. Side yard Setback – Zero – except 15' along property lines that abut residential uses.
 - vi. Front Yard Setback – Zero
 - vii. Parking Spaces – 1 space on-site/dwelling unit + 1 space/250 sf of commercial space
 - viii. A solid fence, landscape screen or combination thereof, shall be provided along any property line where commercial use abuts residential use.
- c. Houses of Worship/Churches as well as ancillary uses such as daycare and school facilities shall be permitted as a conditional use, providing:
 - i. Minimum Lot Size: 1 Acres
 - ii. Parking – All required parking is provided off street
- d. Arts and Cultural uses including Art Galleries, Antique Shops, Craft Shops, and the like.

Plan Interpretation

1. Relationship to City Zoning

The Land Use, zoning and development requirements set forth in this redevelopment plan shall supersede the existing zoning standards of the City of Beverly as they apply to the parcels located within the Beverly Redevelopment Area.

2. Zoning Map Revisions

The Land Use Plan included in this redevelopment plan sets forth the limits of the new zone boundaries for Commercial, Residential and Transit Development Districts. The regulations contained herein shall govern those districts.

DESIGN STANDARDS

Building Design & Architecture

It is the intent of this Redevelopment Plan to encourage the exercise of maximum ingenuity, creativity, and freedom of design for redevelopment efforts consistent with the objectives of this Redevelopment Plan.

1. Architectural Styles

- a. Craftsman.
- b. American Colonial (English, Dutch or French).
- c. Federal.
- d. Neo-Classical.
- e. Victorian and Folk or Workman's Victorian.
- f. Queen Anne.
- g. American Gothic.
- h. Early International.

2. Building Size and Mass

- a. Buildings in the Redevelopment Area are envisioned to be three and a half (3.5) stories max. height.
- b. All buildings should be situated with proper consideration of their relationship to other buildings, existing and proposed, in terms of light, air, and usable open spaces, access to public rights-of-way and off-street parking, and bulk requirements.
- c. Groups of related buildings should be designed to present a harmonious appearance in terms of building silhouette; architectural style and scale; massing of building form; surface material, finish and texture; decorative features; window and doorway proportions and modulation; entry way placement and locations; signage; and landscaping.
- d. Buildings shall be designed to have attractive, finished appearances from all public spaces, streets, railroad and adjacent residential uses.
- e. Buildings should have fenestration and design elements including decorative windows, operating windows, louvers, shutters (if architecturally compatible), cornerstones, keystones and wide window frames consisting of a minimum of ten to twenty percent (10-20%) of the upper floor façade area to prevent large expanses of blank walls.
- f. All pedestrian entryways and/or lobbies shall be prominent, well lit and separate from service entrances and shall be at grade with the adjacent sidewalks to the sidewalks to the greatest extent possible. Building entrances should be clearly defined through the use of detailed paving, architectural treatment and site furnishings and shall be oriented towards the primary pedestrian means of access.

Pedestrian Facilities

A comprehensive network of pedestrian facilities should be designed and shall be in the form of sidewalks, trails, alleys and the like. This network should effectively link residential neighborhoods, commercial uses and public spaces with safe, well-lit connections. These facilities should be designed to promote social interaction and offer a viable transportation alternative. Key aspects of this system should include:

1. Ample sidewalk widths clear of obstructions
2. Safe street crossings using various traffic calming techniques including textured crosswalks, pedestrian signals with countdown timers, reduced curb radii, and curb extensions as appropriate.
3. Safe accessible pedestrian routes should be provided to all transit stops.
4. Bicycle facilities including lanes, signage and parking shall be provided on all primary streets as appropriate.
5. All new vehicular streets shall be constructed to provide only the minimum width required per NJRSIS.

Site Layout & Parking Design

1. The site layout and parking design should provide for screened surface parking located behind or underneath dwelling units whenever possible. For parking underneath dwelling units, the parking area should be screened by architectural design elements incorporated into the design of the structure and buildings so as to create the appearance of an integrated, cohesive design that is complementary of the architectural style and design of the dwelling units.
2. Surface parking that is not underneath dwelling units shall be fully screened from public view by walls and landscaping with a minimum height of 5'. This height should be reduced at driveway aprons to allow for sufficient sight triangle.
3. Surface parking shall not be located closer than ten feet (10') to the property line or street line.
4. Surface parking shall be landscaped with shade trees planted thirty feet (30') on center around the perimeter of the parking area. In addition, ample landscape islands should be provided throughout the parking areas to provide sufficient cover and reduce heat island effect.
5. Parking for residential uses shall comply with the New Jersey Residential Site Improvement Standards (RSIS) set forth in N.J.A.C. 5:21-1.1 et seq. The amount of required parking may be reduced by up to twenty-five percent (25%) from RSIS requirements due to close proximity to the light rail transit passenger station located at Cooper Street.

6. Safe pedestrian circulation should be provided throughout parking areas. Wherever possible, in larger parking areas sidewalks should be provided within center islands to provide pedestrians protected circulation areas. Textured crosswalks should be provided where main pedestrian routes cross vehicular lanes. Curb ramps should be provided and clearly identified at designated locations to provide safe access to sidewalks for all users.

Site Layout & Parking Design

1. Provide traffic calming improvements along the roadways to include decorative textured crosswalks.
2. Create pedestrian safety curb extensions at the intersections to reduce the crossing distance for pedestrians and protect and screen parallel-parked vehicles.
3. Provide exterior bicycle racks and interior bicycle storage for residents.

Streetscape & Onsite Standards

1. Walkways and sidewalks should complement the architectural style of the buildings. Brick or concrete pavers or textured concrete should be used as deemed appropriate.
2. Street, parking area and pedestrian lighting shall simulate period lighting from the late-nineteenth to early twentieth centuries, consisting of black-colored, ornamental, cast-metal poles with period light standards and fixtures. All lighting shall not exceed fifteen feet (15') in height.
3. Tree grates, waste receptacles and benches shall reflect the period from the late-nineteenth and early-twentieth centuries, consisting of black-colored, ornamental, cast-metal elements.
4. Fences shall simulate black, wrought iron, picket fencing reflective of the period from the late-nineteenth and early-twentieth centuries.
5. Walls shall be constructed of brick or stone finish in a style that complements the architectural style, color and finish of the buildings. Walls may incorporate fencing, as required in design by this Redevelopment Plan, into the design of the wall. The permitted walls shall comply in the following manner:
 - a. Walls in the front yard shall not exceed three feet (3') in height and shall be constructed no closer than six inches (6") to the street line. Walls shall not obstruct sight distances for motorists at intersecting streets.
 - b. Walls in the side yard shall not exceed six feet (6') in height and shall be constructed no closer than six inches (6") to the property line.
 - c. Walls in the rear yard along the railroad right-of-way shall not exceed eight feet (8') in height and shall be constructed no closer than six inches (6") to the property line.
6. Trash enclosures shall be constructed of brick or stone finish with a solid metal or

wooden gate that together complements the architectural style, color and finish of the buildings. The walls of the trash enclosure shall not exceed six feet (6') in height and shall be constructed no closer than ten feet (10') to the property line, except it may be constructed no closer than six inches (6") to the rear property line along the railroad right-of-way.

7. Street trees shall be provided maximum of fifty feet (50') on center and shall be of a species that is suitable as a street tree as defined and recommended by the American Association of Nurserymen.
8. Onsite landscaping, which consists of shade trees, coniferous trees, ornamental trees and shrubs, shall be provided to effectively landscape at least fifty percent (50%) of the required open space areas. The balance of the required open space may be lawn area or approved vegetative groundcover. Required onsite landscaping shall consist of the following elements and percentages (Note: percentages are not additive due to the intention of creating understory layering of plant material):
 - a. Shade trees shall be planted to comprise at least twenty-five percent (25%) of the open space area required to be landscaped.
 - b. Coniferous trees shall be planted to comprise at least ten percent (10%) of the open space required to be landscaped.
 - c. Ornamental trees shall be planted to comprise at least ten percent (10%) of the open space area required to be landscaped.
 - d. An evenly distributed mix of evergreen and deciduous shrubs shall be planted to comprise at least fifty percent (50%) of the open space required to be landscaped.
9. Signage shall be designed to complement the architectural style of the buildings.
10. Loading docks and refuse areas should be placed in the rear or side of buildings in visually unobtrusive locations. Screening of these areas should prevent direct views of the loading areas and their driveways from primary view corridors on adjacent properties or the public R.O.W.

Waterfront Promenade Design

1. A minimum 25' clear area with sufficient width paved to safely accommodate pedestrians, joggers and cyclists (per NJDOT Standards) shall be provided. Trees, vegetative pockets and amenities may be provided within this width assuming that sufficient area is provided for the safe accommodation of each of these uses per NJDOT Standards.
2. The paved surface shall be concrete unit pavers, light in color and shall complement streetscape furnishings and adjacent Period architecture.
3. Tree grates, waste receptacles and benches shall reflect the period from the late-nineteenth and early-twentieth centuries, consisting of black-colored, ornamental, cast-metal elements.
4. Shaded areas with Trees, structures or canopies with groupings of seating to comfortably

accommodate 8-10 people shall be provided at maximum spacing of 75' and provide sufficient area for users to rest and escape the sun.

5. Shade structures shall be designed to compliment local architecture.
6. Sufficient pedestrian scale lighting shall be provided for the entire length of the promenade. Lighting shall be 'nautical' or 'period' style and should compliment other promenade amenities such as trash receptacles and benches.

Landscape Design

1. Landscaping should be provided as approved by the reviewing agency to provide shade, designate entrances, screen parking from R.O.W., buffer utility areas and provide seasonal aesthetic throughout the year.
2. Landscaping should be integrated with other ornamental site design elements, where appropriate, such as recreational facilities, ground paving materials, paths and walkways, gazebos, walls, street furniture and public art.
3. Plantings should be layed out as a cohesive design with a complimentary variety of textures and colors.
4. Maximum effort should be made to maintain any existing plant material deemed to be of ecological or aesthetic value. This includes but is not limited to trees over 6" caliper, larger groupings of mature vegetation, vegetative buffer areas, and areas that may support localized ecosystems.
5. Planting within the Waterfront Zone within the public Right-of-Way shall be limited to native plant material. Large groupings of native plant material should be clustered and designed to restore the native habitat of the Delaware River to promote bird and wild life habitat.
6. Native plant materials should be used wherever possible throughout the redevelopment area. Plants identified as 'Invasive Species' should not be permitted.
7. All new plant material should be guaranteed for a minimum of 1-year from time of planting and acceptance.
8. Care should be taken to ensure that a clear sight triangle is maintained at all intersections and driveways.

ESTIMATION OF RELOCATION

Current planning studies demonstrate that Public Housing better serves the community when it is integrated into the market rate housing neighborhoods rather than grouped together in the traditional style "Housing Project". In order to capitalize on the city's most valuable asset and better integrate Public Housing residents into the fabric of the city, the public housing developments and their residents will be relocated. These households will be relocated in minimum groupings of 12 distributed throughout the districts and integrated into the market rate housing. All efforts will be made to relocate these residents within the C-3 or R-3 Districts west of Warren Street. Approximately 72 dwelling units will require relocation.

The New dwelling units shall be of at least equal size and quality to the original residential unit and reasonable effort will be made to maintain the quality and relationships to open space and amenities. Replacement housing will be constructed for public housing residents before acquisition of existing residential units occurs.

If it is determined by the redeveloper that additional relocation of residents or businesses within the redevelopment area be required in order to meet the goals and objectives of this redevelopment plan, then said relocations shall be done in accordance with all local, state and federal regulations and under the guidance of the redevelopment entity. This plan does not anticipate the relocation of any industrial properties. Should this be required in the future it will be dealt with on a 'case by case' basis with individual property owners.

PROPOSED PROPERTY ACQUISITION

There are numerous redevelopment parcels identified on the Proposed Land Use Plan. Acquisition of Parcels within both the C-3 and T-1 Districts are being identified as potential Acquisition Properties. Each parcel within these areas may be subject to rehabilitation or redevelopment in accordance with the requirements set forth in this Redevelopment Plan. In addition, Block 61 Lot 1 and Block 62 Lot 3/2 will be acquired for use as the City Hall and Police Department respectively.

Acquisitions associated with this plan are as follows:

Block	Lot	Disposition
1	1.01-3.03	Construct new (relocated) sewage treatment plant and construct and open space.
18	1,2	Demolish and construct new residential units and open space.
19	1	Demolish and construct new residential units and open space.
20	1	Demolish and construct new residential units.
21	1.01,1.02,2,3	Demolish and construct new residential units.
22	1	Demolish existing HUD Housing Complex and construct new residential units.
47	1,1.03	Demolish and construct new residential units and open space.
48	1, 1.02	Demolish and construct new residential units and open space.
61	1	Renovated existing building and Relocate police station to this space.
62	1,2,3	Renovate existing building and relocate City Hall to this space.

Additional properties may be acquired as future phases of this plan are developed. As these properties are identified, they will be acquired in accordance with all local, state and federal regulations.

RELATIONSHIP TO INTERGOVERNMENTAL PLANNING

Statutory Reference (N.J.S.A. 40A: 12A-7a.) Any significant relationship of the redevelopment plan to (a) the master plans of contiguous municipalities, (b) the master plan of the county in which the municipality is located, and (c) the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act," P.L. 1985, c.398 (C.52:18A-196 et seq.)

1. Contiguous Municipalities

a. Delanco Township

Delanco Township shares Beverly's western municipal boundary that extends from the Delaware River to the Conrail right-of-way. Delanco's master plan was updated in 1999. The Delanco master plan recommends the area contiguous to Beverly from the river to the vicinity of Cornell Avenue to be used for M/OS Municipal/Open Spaces purposes. From Cornell Avenue to the southern boundary of the community that is formed by the railroad, the lands are recommended for residential uses, R-5 and R-2 Single-Family Residential, respectively. Within the R-5 area along the northern side of Burlington Avenue, the lands are recommended for C-1 Neighborhood Commercial uses.

The redevelopment area is contiguous to Delanco Township along Block 1. The waterfront park that is recommended for Phase Three is clearly compatible with the M/OS designation in Delanco. The relocated Sewage Treatment plant will be located a significant distance from the boundary and will be screened by existing and proposed vegetative buffers. To that end, the redevelopment area does not impact any of the planning efforts of Delanco.

b. Edgewater Park Township

Edgewater Park Township shares Beverly's southern and eastern municipal boundaries. Edgewater Park's master plan was updated in 2000. The area in Edgewater Park that extends from the southwest corner of Beverly along the railroad to the vicinity of Manor Road is recommended for R-2 Single-Family Residential land uses. The area in Edgewater Park that extends to the southeast corner of Beverly and then northerly toward the Delaware River comprises residential land uses, R-1, R-2 and R-4 Single-Family Residential, respectively.

The portion of the redevelopment area that is contiguous to the areas recommended for residential development in Edgewater Park is also recommended for residential development. The redevelopment plan encourages the rehabilitation and preservation of the residential neighborhoods located in this portion of the redevelopment area. To that end, the redevelopment plan comports with the residential development recommendations made by the 2000 Edgewater Park master plan.

In addition, this plan recognizes and facilitates the goals and objectives set forth in the Beverly/Edgewater Park TOD Study. The zone most effected by this plan is the proposed T-1 Zone that borders the train tracks. Both plans envision this zone as

mixed-use hub that capitalizes upon the value generated by the new train station. In addition, all recommendations for '5-Points' area set forth in the TOD study are reinforced and supported by this plan.

2. Burlington County

Burlington County does not have a county master plan. To date, the county has relied upon the 1992 New Jersey State Development and Redevelopment Plan. The county is currently in the process of working with 12 local communities in the Route 130 Delaware River Corridor (Corridor), of which Beverly is one of the communities, to implement a strategic revitalization plan. The Corridor strategic plan was completed in 1998. The following vision for the revitalization of the Corridor, including Route 130 highway and riverfront communities, has been prepared:

The vision recommends retaining viable business and finding ways to upgrade and improve them. The vision also recommends attracting new businesses that want to locate in the Corridor based on the strengths of the Corridor, Burlington County, the region and New Jersey. A Highly prized and closely guarded asset of the Corridor is the number of stable, close-knit neighborhoods existing throughout the Corridor. Preservation of these neighborhoods is a primary goal of the vision. The vision focuses on upgrading and improving physical and social aspects of the neighborhoods and communities in which they are located....

The vision emphasizes that the qualities which give the corridor its quiet, small town character should not be change and stresses that the Corridor needs to change in order to correct the problems which contributed toward the Corridor's decline. The solution embraced in the vision endeavors to balance the needs for retaining the positive qualities of the Corridor and eliminating the negative aspects of the Corridor.

The redevelopment plan wholeheartedly embraces the vision for the Corridor and endeavors to achieve this vision for Beverly. The redevelopment stresses the importance of rehabilitating existing neighborhoods, not modifying or making wholesale changes to the character of the neighborhoods in the redevelopment area. A paramount objective of the redevelopment plan is to improve the redevelopment area by building on existing resources and amenities of the city.

3. State Development and Redevelopment Plan

The New Jersey State Development and Redevelopment Plan (SDRP) was adopted by the New Jersey State Planning Commission June 12, 1992. The SDRP was reexamined, and a new plan adopted in 2001. The SDRP designates City of Burlington as part of the PA1 Metropolitan Planning Area as well as a 'Designated Center', which "...includes a variety of communities that range from large urban centers to post-war suburbs" (187). SDRP policies for the PA1 and Designated Centers encourage growth, maintenance, reinvestment and redevelopment to occur within such areas of the state. The redevelopment plan will promote the following PA1 and Designated Center policy objectives of the 2001 Plan (191, 192):

Designated Center

The New Jersey SDRP categorizes Beverly as a "Town" Designated Center and defines this as "...diverse residential neighborhoods served by a mixed-use Core offering locally oriented goods and services." This plan promotes and encourages this goal by providing a framework of new housing stock and mixed-use zones as well as the renovation of existing neighborhoods in order to revitalize and renovate the existing downtown core.

Land Use

Promote redevelopment and development in Cores and neighborhoods of Centers and in Nodes that have been identified through cooperative regional planning efforts. Promote diversification of land uses, including housing where appropriate, in single-use developments and enhance their linkages to the rest of the community. Ensure efficient and beneficial utilization of scarce land resources throughout the Planning Area to strengthen its existing diversified and compact nature.

The Redevelopment Plan's primary focus is to capitalize on the city's existing assets to provide a diverse range of housing types throughout the city and revitalize the downtown. The Redevelopment Area is well served by sanitary sewers, public water and a complete road network. The intent of the Redevelopment Plan is to capitalize on the efficiencies of the existing infrastructure and the concentrated development patterns that occur throughout the redevelopment area.

Housing

Provide a full range of housing choices through redevelopment, new construction, rehabilitation, adaptive reuse of non-residential buildings, and the introduction of new housing into appropriate non-residential settings. Preserve the existing housing stock through maintenance, rehabilitation and flexible regulation.

The Redevelopment Plan introduces new housing made available on a former industrial sites and along the waterfront. The zoning has been revised to ensure that any redeveloped sites will be compatible with the residential areas. The Redevelopment Area provides for residential and commercial uses that are compatible with the adjacent neighborhoods. Affordable housing will be provided in the Redevelopment Area as part of the City's growth share obligation as defined by the New Jersey Council on Affordable Housing.

Economic Development

Promote economic development by encouraging strategic land assembly, site preparation and infill development, public/private partnerships and infrastructure improvements that support an identified role for the community within the regional marketplace. Encourage job training and other incentives to retain and attract businesses. Encourage private sector investment through supportive government regulations, policies, and programs, including tax policies and expedited review of proposals that support appropriate redevelopment.

Transportation

Maintain and enhance a transportation system that capitalizes on high-density

settlement patterns by encouraging the use of public transit systems, walking, and alternative modes of transportation to reduce auto dependency, link Centers and Nodes, and create opportunities for transit oriented redevelopment. Facilitate efficient goods movement through strategic investments and intermodal linkages. Preserve and stabilize general aviation airports and, where appropriate, encourage community economic development and promote multi-level uses for airport property such as business centers.

New Jersey Transit has operated the RiverLine, a new light rail transit system in the existing railroad right-of-way that traverses through the City of Burlington with a station stop located within walking distance from the Redevelopment Area. Rezoning to provide new housing in close proximity to the train makes the housing more attractive to new buyers that may desire to utilize the light rail system.

Natural Resource Conservation

Reclaim environmentally damaged sites and mitigate future negative impacts, particularly to waterfronts scenic vistas, wildlife habitats and to Critical Environmental Sites and Historical and cultural Sites. Give special emphasis to improving air quality. Use open space to reinforce neighborhood and community identity, and protect natural linear systems, including regional systems that link to other Planning Areas.

The Redevelopment Plan recommends reusing an area of the City that was previously developed with industrial uses. This reuse directs development away from undeveloped lands thus alleviating pressure to build housing on such lands. Redeveloping the Redevelopment Area will expend less energy because the existing infrastructure will be utilized and consume less resources that are normally used in the construction of housing where such infrastructure does not exist.

Agriculture

Use development and redevelopment opportunities wherever appropriate and economically feasible to meet the needs of the agricultural industry for intensive agricultural production, packaging and processing, adding value operations, marketing, exporting and other shipping. Provide opportunities for farms, greenhouses, farmers markets and community gardens.

The redevelopment area does not contain agricultural uses nor is it contemplated to have agricultural activities.

Recreation

Provide maximum active and passive recreational opportunities and facilities at the neighborhood, local and regional levels by concentrating on the maintenance and rehabilitation of existing parks and open space while expanding and linking the system through redevelopment and reclamation projects.

The redevelopment plan includes the transformation of a former superfund site into a community park. The riverfront will be dedicated to the residents of the city through the development of the Delaware River Heritage Trail Promenade, a 50' wide linear park along the waterfront. In addition, the existing dredge spoils site located on the river will be converted into new community all fields.

Redevelopment

Encourage redevelopment at intensities sufficient to support transit, a broad range of uses and efficient use of infrastructure. Promote design that enhances public safety, encourages pedestrian activity and reduces dependency on the automobile.

The redevelopment plan intends to capitalize on the light rail station stop. The redevelopment plan encourages the creation of new housing in an existing residential neighborhood, which is pedestrian friendly and promotes transit-oriented development in the City.

Public Facilities and Services

Complete, repair or replace existing infrastructure systems to eliminate deficiencies and provide capacity for sustainable development and redevelopment in the region. Encourage the concentration of public facilities and services in Centers and Cores.

The public infrastructure that serves the most of redevelopment area is in relatively fair condition. Streetscape improvements will be required in the downtown and existing roads may require resurfacing, and new sidewalks.

Intergovernmental Coordination

Regionalize as many public services as feasible and economical to enhance the cost effective delivery of those services. Establish multi-jurisdictional policy and planning entities to guide efforts of State, county and municipal governments to ensure compatible and coordinated redevelopment.

The very ideology of this policy is embodied in the spirit and thrust of the redevelopment plan. The redevelopment plan is a progressive initiative undertaken by City of Beverly to facilitate redevelopment and revitalization of the entire city.

AFFORDABLE HOUSING PROVISION

Statutory Reference (N.J.S.A. 40A:12A-7b) "[a] redevelopment plan may include the provision of affordable housing in accordance with the Fair Housing Act, P.L. 1985, c.222 (C.52:27D-301 et seq.) and the housing element of the municipal master plan".

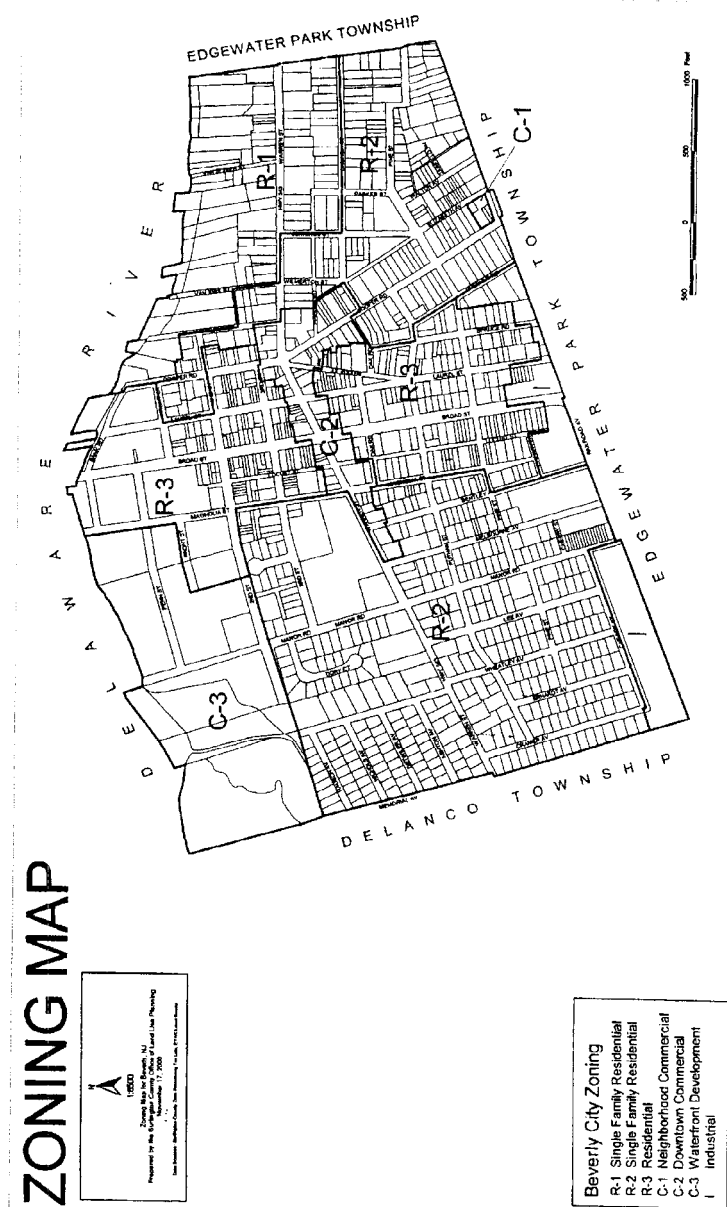
The city's 2005 Housing Element and Fair Share Plan is incorporated into the redevelopment plan and the development shall comply with all current COAH requirements.

In addition to these requirements, affordable rental housing units will be created over commercial uses as set forth in the C-2 Recommended Actions and as accessory apartments as set forth in the C-3 Recommended Actions and Permitted Uses section of the redevelopment plan.

Dwelling units rehabilitated, affordable rental housing units created over commercial and accessory apartments created under the redevelopment plan shall comply with and be controlled pursuant to N.J.A.C. 5:93-1 et seq., New Jersey Council on Affordable Housing Substantive Rules.

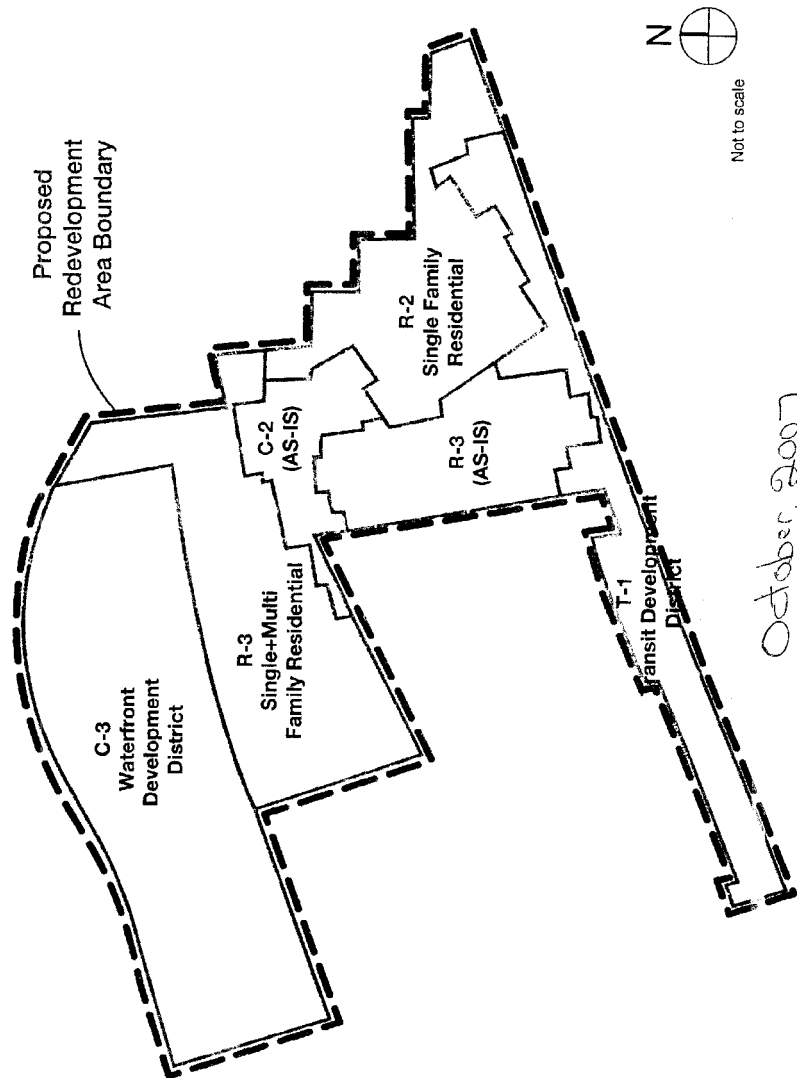
VIII. APPENDIX

EXHIBIT 1: EXISTING ZONING MAP



VIII. APPENDIX

EXHIBIT 2: PROPOSED ZONING MAP



October 2007

EXHIBIT 3: REDEVELOPMENT VISION PLAN

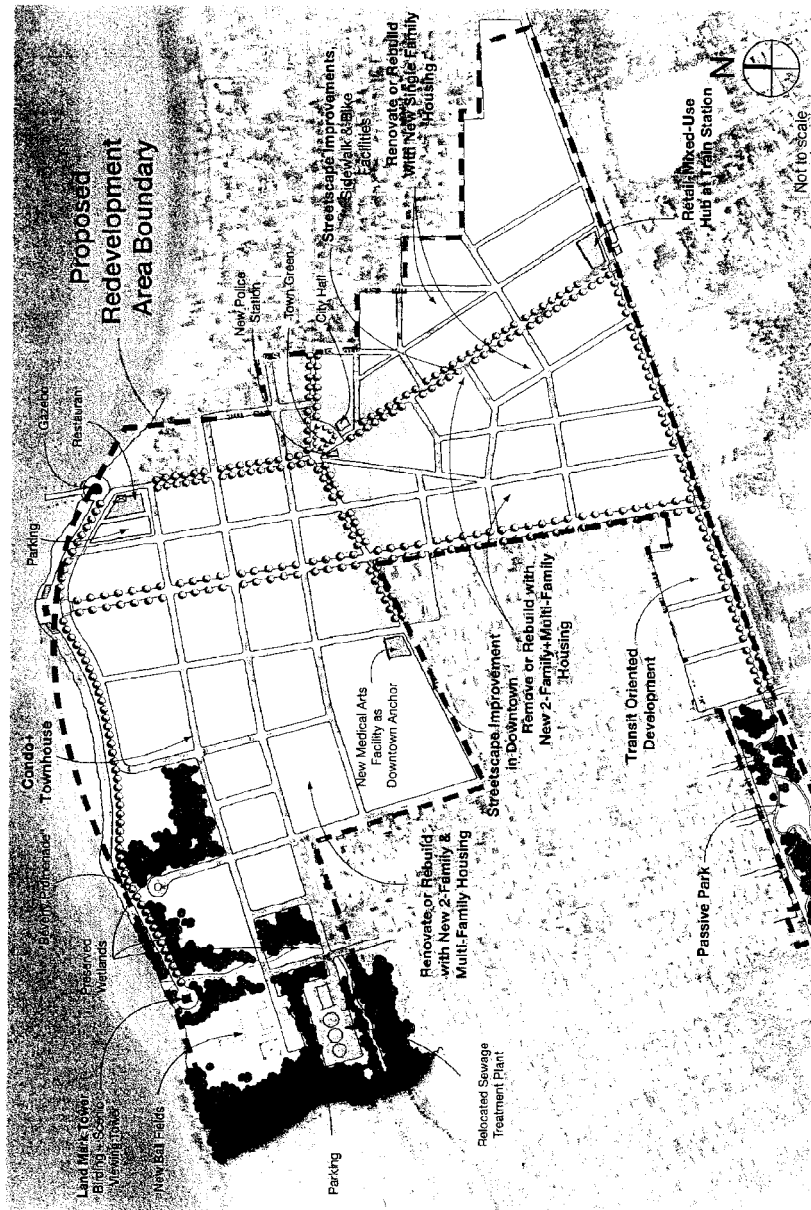
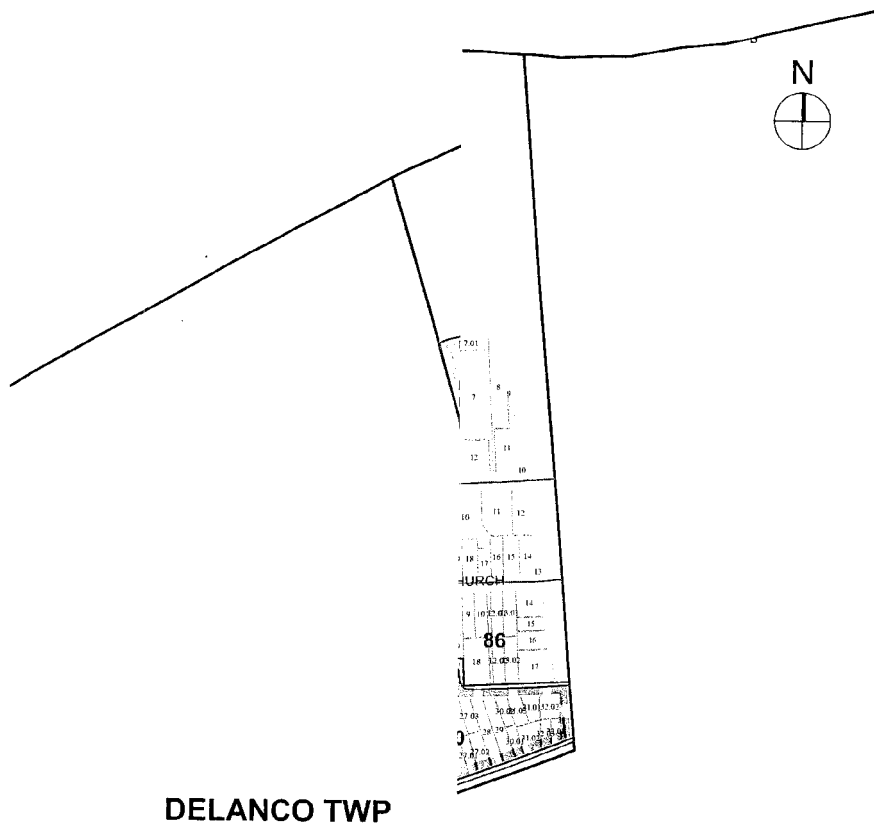


EXHIBIT 4: REDEVELOPMENT



Legend

- Roads
- Block
- Lot
- Municipal Boundary
- Redevelopment Area Boundary

RK TWP

500
Feet

ORDINANCE NO. 2007-

ORDINANCE NO. 2007-11
AMENDMENT TO REDEVELOPMENT PLAN
CITY OF BEVERLY
BURLINGTON COUNTY, NEW JERSEY

June 2007

Whereas, on August 19, 1997, the City of Beverly adopted a redevelopment plan for the central portion of the community extending from Railroad Avenue along Broad Street to portions of Warren Street and the Delaware River. This amendment was prepared to add a parcel of land to Section IV.E. Identification of Proposed Property Acquisitions and Section IV.C. Proposed Land Uses and Building Requirements.

Now, Therefore Be It Ordained, by the Common Council of the City of Beverly that the Amended Redevelopment Plan of August 2000 is hereby amended to add to Section IV.E. Identification of Proposed Property Acquisitions and Section IV. C. Proposed Land Uses and Building Requirements.

Phase One

Phase One includes the acquisition of the parcel of land described below for creating new residential dwelling units on a former industrial site that was cleared of a collapsing building located at the intersection of Broad and Railroad Avenue:

<u>Street Address</u>	<u>Block Number</u>	<u>Lot Number</u>	<u>Disposition</u>
Northeast corner of Broad Street and Railroad Avenue	77	9	Constructing new residential dwellings

Block 77, Lot 9: The following provisions apply to the requirements for the development of Block 77, Lot 9 and supersede the I-Industrial district zoning regulations as applied to said parcel of land:

1. Permitted Principal Uses
2. Permitted Accessory Uses.
3. Permitted Conditional Uses.
4. Area and Bulk Standards.

Phase Three contemplates the acquisition of three parcels for the purpose of developing the waterfront with mixed uses and a park.

<u>Street Address</u>	<u>Block Number</u>	<u>Lot Number</u>	<u>Disposition</u>
Laurel Street, Broad Street			

And Broad Street	47	1, 2	Waterfront Development
Cooper Street, Front Street, Laurel Street, Bank Street	48	1	Waterfront Development

No relocation requirements are necessary because the subject parcels of land are unoccupied.

This Ordinance was adopted on first reading at the regular council meeting of June 26, 2007, and will be heard on second and final reading at the council meeting of July 24, 2007..

Barbara A. Sheipe RMC

9. Rehabilitation Compliance Documentation

REHABILITATION PROGRAM (N.J.A.C. 5:97-6.2)

General Description

Municipality/County: Beverly / Burlington County

Program Name: Housing Rehabilitation (Local)

Number of proposed units to be rehabilitated: 16

Information and Documentation Required with Petition

- ☒ Determination of Rehabilitation Share
- ☒ Accept number in N.J.A.C. 5:97 – Appendix B; **OR**
- ☐ Exterior Housing Survey conducted by the municipality
- ☒ Information regarding the rehabilitation program on forms provided by the Council. (If relying on previously submitted 2007 monitoring and/or subsequent CTM update, also check here ☒ in lieu of submitting forms.)
- ☒ Documentation demonstrating the source(s) of funding
- ☒ Municipal resolution appropriating funds from general revenue or a resolution of intent to bond in the event of a funding shortfall
- ☒ Schedule illustrating how the rehabilitation share will be addressed within the period of substantive certification

Information and Documentation Required Prior to Substantive Certification

- ☐ Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18
- ☐ Draft or adopted rehabilitation operating manual that includes a description of the program procedures and administration including a copy of sample deed restriction and/or lien.
- ☐ Affirmative Marketing Plan for the re-rental of rehabilitated rental units, in accordance with UHAC

rehab_Beverly

Rehabilitation Narrative Section

Twelve of 16 units have been completed through the State Small Cities CDBG program. Four units will be completed with such grants or housing trust funds by December 31, 2018.

PROJECT / PROGRAM INFORMATION FORM

Changes to the highlighted areas are to be made directly into the CTM system. Fields **highlighted in grey** will be added to the CTM screen in January. All other changes must be made on the form and submitted to COAH.

PART A – PROJECT HEADER

Municipality: Beverly County: Burlington

Project or Program Name: Beaunit Mills

Project Status (circle current status and enter date of action for that status)

Status Date

Proposed/Zoned	_____
Preliminary Approval	_____
Final Approval	<u>6-26-07</u>
Affordable Units under Construction	_____
Completed (all affordable certificates of occupancy (C.O.) issued)	_____
Deleted from Plan (date approved by COAH) _____)	_____

Mechanisms - Project / Program Type (circle one)

Assisted Living Facility	Alternative Living Arrangement	Accessory Apartment
Market to Affordable	Credits without Controls	ECHO 100 Percent Affordable
Inclusionary	Rehabilitation	[Redevelopment]

If an Inclusionary project, identify subtype (circle all that apply)

Units constructed on-site	Units constructed off-site	Combination	Contributory
Growth Share Ordinance			

If an Alternative Living Arrangement project, identify subtype (circle one)

Transitional Facility for the Homeless	Residential Health Care Facility	Congregate Living Facility
Group Home	Boarding Homes (A through E) (only eligible for credit for 1987-99 plans)	
Permanent Supportive Housing (unit credit)	Supportive Shared Living Housing (bedroom credit)	

PART B – PROJECT DETAIL (Complete all applicable sections)

COAH Rules that apply to project: Round 1 Round 2 **[Round 3]**

Project Address: Northeast Corner of Railroad Avenue and Broad Street

Project Block/Lot/Qualifier (list all) 77/9

Project Acreage: 1.3 Density: 15.4 Set Aside:

Project Sponsor: (circle one) Municipally Developed Nonprofit Developed **[Private Developer]**

Project Sponsor name: City of Beverly

Project Developer name: Strategic Redevelopment Partner, LLC

Planning Area (circle all that apply)

[1] 2 3 4 4B 5 5B

Highland Preservation Highlands Planning Area Pinelands Meadowlands

CAFRA Category 1 Watershed

Credit Type

Prior-cycle (1980 – 1986) Post-1986 completed **[Proposed/Zoned]** Rehabilitation

Credit Sub-Type (if applicable)

Addressing Unmet Need Extension of Controls

Construction Type (circle one) **[New (includes reconstruction and conversions)]** Rehabilitation

Flags (circle all that apply) 3.1 Phased Durational Adjustment Conversion Court Project

Density Increase Granted Mediated Project Overlay Zone Result of Growth Share Ordinance

High Poverty Census Tract Off-Site Partnership Project RCA Receiving Project

Reconstruction Part of Redevelopment Plan

Project Waiver granted yes no Round waiver was granted R1 R2 R3

Type of Waiver

Number of market units proposed 0 Number of market units completed 0

Number of market units with certificates of occupancy issued after 1/1/2004 0

Number of affordable units under construction 0

Condo Fee percentage (if applicable)

Affordability Average Percentage ¹ 52

¹ "Affordability Average" means an average of the percentage of median income at which restricted units in an affordable development are affordable to low and moderate-income households.

For Contributory or Combination Sites

Total payment in lieu of building affordable units on site _____

Number of affordable units created with payment _____

Municipal or RCA funds committed to project _____ 0

Municipal or RCA funds expended _____ 0

Funding Sources (circle all that apply)

County HOME County Rehab Funds CDBG Federal Home Loan Bank HODAG HUD HUD 202
HUD 236 HUD 811 HUD HOPE VI HUD HOME McKinney Funds Fannie Mae Multi-Family
UDAG UHORP USDA-FHA Rural Development USDA-FHA - Section 515 Development Fees
Municipal Bond Municipal Funds Payment in Lieu [Private Financing] RCA Capital Funding
Balanced Housing Balanced Housing – Home Express DCA – Low Income House Tax Credit NPP
DCA Shelter Support Services DDD DHSS DHHS HMFA Low Income House Tax Credit
HMFA HMFA HOME MONI Section 8 Small Cities Other _____

Effective date of affordability controls To be determined

Length of Affordability Controls (in years) 30 or Perpetual

Administrative Agent City of Beverly

For Redevelopment Projects

Does this project require deed restricted units to be removed? Yes No

If Yes

of deed restricted units removed

of moderate income units removed

of low income units removed

of very low income units removed

of rental units removed

of for-sale units removed

of one-bedroom units removed

of two-bedroom units removed

of three-bedroom units removed

PART C – COUNTS

Affordable Unit Counts

Total non-age-restricted 4 Sales 4 Rentals _____ Total age-restricted _____ Sales _____ Rentals _____

Complete the chart for the number of non-age-restricted and age-restricted units that are **restricted** for the following income categories (do not report on the income levels of residents currently residing in the units)

<u>Low Income</u>	<u>Non-age restricted</u>	<u>Age-restricted</u>
30% of median income ²	_____	_____
35% of median income ³	_____	_____
50% of median income	<u>4</u>	_____
<u>Moderate Income</u>		
80% of median income	_____	_____

Note: 30% = less than or equal to 30 percent of median income
 35% = greater than 30 percent and less than or equal to 35 percent of median income
 50% = greater than 35 percent and less than or equal to 50 percent of median income
 80% = greater than 50 percent and less than 80 percent of median income

Bedroom Distribution of Affordable Units

Sale units	efficiency low	_____	1 bedroom low	_____	2 bedroom low	<u>2</u>	3 bedroom low	<u>2</u>
	efficiency mod	_____	1 bedroom mod	_____	2 bedroom mod	_____	3 bedroom mod	_____
Rental units	efficiency low	_____	1 bedroom low	_____	2 bedroom low	_____	3 bedroom low	_____
	efficiency mod	_____	1 bedroom mod	_____	2 bedroom mod	_____	3 bedroom mod	_____

Completed Units

Number of affordable units completed in this project 0

Number of affordable units in this project lost through foreclosures, illegal sale or expired affordability controls 0

² Pursuant to N.J.A.C. 5:97-3.7 units deed restricted to households earning 30% or less of median income may be eligible for Bonus Credit for Very-Low Income Units. (RCA receiving units not eligible for bonus credits)

³ Pursuant to N.J.A.C. 5:80-26.3(d) At least 10 percent of all low- and moderate-income rental units must be deed restricted to households earning no more than 35 percent of median income

PART D - (completed by Sending Municipality)

For **Approved** Regional Contribution Agreements (RCA)

Sending Municipality _____ County _____
RCA Receiving Municipality _____ County _____
COAH approval date _____
Number of units transferred _____ Cost per unit _____
Total transfer amount _____ Amount transferred to date _____

For Partnership Program

Sending Municipality _____ County _____
Partnership Receiving Municipality _____ County _____
Name of Project _____
Credits for Sending Municipality _____
Total transfer amount _____ Amount transferred to date _____

Summary of Sending Municipality's contractual agreement with Partnership Receiving Municipality

10. Other Crediting Options Compliance Documents

PROPOSED REDEVELOPMENT AREAS (N.J.A.C. 5:97-6.6)

(Submit separate checklist for each site or zone)

General Description

Municipality/County: Beverly/Burlington

Project Name/Redevelopment Designation: Waterfront Redevelopment Project

Block(s) and Lot(s): various lots (see redevelopment plan)

Total acreage: _____ Proposed density (units/gross acre): _____

Affordable Units Proposed: 60

Family: 60 Sale: 50 Rental: 10

Very low-income units: 10 Sale: 0 Rental: 10

Age-Restricted: 0 Sale: _____ Rental: _____

Market-Rate Units Anticipated: 240

Non-Residential Development Anticipated (in square feet): 100,000

Will the proposed development be financed in whole or in part with State funds, be constructed on State-owned property or be located in an Urban Transit Hub or Transit Village? ☒ Yes ☐ No

Bonuses for affordable units, if applicable:

Rental bonuses as per N.J.A.C. 5:97-3.5: _____

Rental bonuses as per N.J.A.C. 5:97-3.6(a): _____

Very low income bonuses as per N.J.A.C. 5:97-3.7¹: _____

Smart growth bonuses as per N.J.A.C. 5:97-3.18: _____

Redevelopment bonuses as per N.J.A.C. 5:97-3.19: 20

Compliance bonuses as per N.J.A.C. 5:97-3.17 _____

Date zoning or redevelopment plan adopted: 8/19/2007

Date development approvals granted: _____

Waterfront redevelopment

**Information and Documentation Required with Petition or in Accordance with an
Implementation Schedule**

The municipality is providing an implementation schedule for this project/program.

- ☒ Yes. Skip to and complete implementation schedule found at the end of this checklist.
NOTE: The remainder of this checklist must be submitted in accordance with the implementation schedule.
- ☐ No. Continue with this checklist.
- ☒ Project/Program Information Form (previously known as Project/Program Monitoring Form. If relying on previously submitted 2007 monitoring and/or subsequent CTM update, also check here ☐ in lieu of submitting forms.)
- ☐ Adopted Resolution designating Redevelopment Area
- ☐ Demonstration of DCA's approval of Redevelopment Area designation. Check here ☐ if non-applicable.
- ☒ Redevelopment plan adopted by the governing body which includes the requirements for affordable housing
- ☒ A description of the site, including its location, acreage and existing and intended use
- ☒ An anticipated timeline and development process expected for the site

If payments in lieu of on-site construction of the affordable units is an option:

- ☐ Proposed or adopted ordinance establishing the amount of the payments
- ☐ Spending plan

A general description of the site, including:

- ☐ Name and address of owner
- ☐ Subject property street location
- ☐ Subject property block(s) and lot(s)
- ☐ Indicate if urban center or workforce housing census tract
- ☐ Subject property total acreage
- ☐ Previous zoning designation and date previous zoning was changed
- ☐ Current zoning and date current zoning was adopted
- ☐ Description of any changes to bulk standards intended to accommodate the proposed densities
- ☐ Tax maps showing the location of site(s) with legible dimensions (electronic if available)
- ☐ Map of Redevelopment Area

**Information and Documentation Required prior to Substantive Certification or in Accordance
with an Approved Implementation Schedule**

A description of the suitability of the site, including:

- ☐ Description of surrounding land uses
- ☐ Demonstration that the site has street access
- ☐ Planning Area and/or Special Resource Area designation(s) e.g., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans
- ☐ Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 to serve the proposed redevelopment area or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4
- ☐ Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 to serve the proposed redevelopment area or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4

A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints:

- ☐ Wetlands and buffers
- ☐ Steep slopes
- ☐ Flood plain areas
- ☐ Stream classification and buffers
- ☐ Critical environmental site
- ☐ Historic or architecturally important site/district
- ☐ Contaminated site(s); proposed or designated brownfield site
- ☐ Based on the above, a quantification of buildable and non-buildable acreage
- ☐ A copy of the final Request for Proposals, which includes the requirements for affordable housing. Check here ☐ if non-applicable.
- ☐ Demonstration that the municipality or redeveloper either has control of the site or an option on the property or a plan in place for obtaining site control, in accordance with the LHRL
- ☐ An executed redevelopment agreement that results in the creation of affordable housing units and which shall include the following:
 - ☐ Number, tenure and type of units
 - ☐ A schedule for the overall development plan, including phasing of residential development
 - ☐ Compliance with N.J.A.C. 5:94-6.4(i)-(k)

- ☐ Demonstration that the first floor of all townhouse or other multistory dwelling units is accessible and adaptable per N.J.A.C. 5:97-3.14
- ☐ If applicable, current status of the municipality's Workable Relocation Assistance Program (WRAP)

Information and Documentation Required Prior to Marketing the Completed Units

- ☐ Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18
- ☐ Adopted operating manual that includes a description of program procedures and administration or a statement indicating that the Administrative Agent designated to run the program uses a COAH-approved manual in accordance with UHAC
- ☐ An affirmative marketing plan in accordance with UHAC, except for low- and moderate-income households displaced by redevelopment that are given preference for new units

PROPOSED REDEVELOPMENT AREAS (N.J.A.C. 5:97-6.6)

IMPLEMENTATION SCHEDULE

The implementation schedule sets forth a detailed timetable that demonstrates a "realistic opportunity" as defined under N.J.A.C. 5:97-1.4 and a timetable for the submittal of all information and documentation required by N.J.A.C. 5:97-6.

The timetable, information, and documentation requested below are required components of the implementation schedule.

Please note that all information and documentation requested below is required to be submitted to COAH no later than two years prior to the scheduled implementation of the mechanism. The fully completed checklist from above must be submitted at that time.

PROVIDE THE INFORMATION REQUESTED IN THE SECTIONS BELOW

(A) Redevelopment Area information, including the following:

Redevelopment Area Documentation	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Adopted resolution designating Redevelopment Area		
Demonstration of DCA's approval of Redevelopment Area designation (enter N/A if not applicable)		

Redevelopment plan adopted by the governing body which includes the requirements for affordable housing	3/18/2003	12/31/2008
---	-----------	------------

(B) Development schedule, including, but not limited to, the following:

Redevelopment Process Action	Date Anticipated to Begin	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Site Identification	completed		
RFP Process (enter N/A if not applicable)	6/1/2009	10/1/2009	10/31/2009
Developer Selection	11/1/2009	3/1/2010	3/31/2010
Site Plan Preparation	4/15/2010	10/15/2010	10/31/2010
Development Approvals	12/1/2010	6/1/2011	6/30/2011
Contractor Selection	7/1/2011	10/1/2011	10/15/2011
Building Permits	11/15/2011	12/15/2011	12/31/2011
Construction	1/15/2012	10/31/2018	1/31/2012
Occupancy	12/31/2012	12/1/2018	12/31/2018

Redevelopment Narrative Section

¹ Pursuant to PL 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.

12. Municipal Housing Liaison Resolution



ORDINANCE NO. 2008- 19

**AN ORDINANCE TO CREATE THE POSITION OF
MUNICIPAL HOUSING LIAISON FOR THE PURPOSE OF
ADMINISTERING THE CITY OF BEVERLY'S
AFFORDABLE HOUSING PROGRAM PURSUANT TO
THE FAIR HOUSING ACT.**

BE IT ORDAINED by the *Common Council* of the *City of Beverly* in the County of *Burlington* and State of New Jersey that the following amendments be made to Chapter *[insert number]* of *City of Beverly*:

Section 1. Purpose.

The purpose of this article is to create the administrative mechanisms needed for the execution of *City of Beverly's* responsibility to assist in the provision of affordable housing pursuant to the Fair Housing Act of 1985.

Section 2. Definitions.

As used in this article, the following terms shall have the meanings indicated:

MUNICIPAL HOUSING LIAISON – The employee charged by the governing body with the responsibility for oversight and administration of the affordable housing program for *the City of Beverly*.

ADMINISTRATIVE AGENT – The entity responsible for administering the affordability controls of some or all units in the affordable housing program for *the City of Beverly* to ensure that the restricted units under administration are affirmatively marketed and sold or rented, as applicable, only to low- and moderate-income households.

Section 3. Establishment of Municipal Housing Liaison position and compensation; powers and duties.

- A. Establishment of position of Municipal Housing Liaison. There is hereby established the position of Municipal Housing Liaison for *the City of Beverly*.
- B. Subject to the approval of the Council on Affordable Housing (COAH), the Municipal Housing Liaison shall be appointed by the Governing Body and may be a full or part time municipal employee.

- C. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for *the City of Beverly* including the following responsibilities which may not be contracted out, exclusive of item 6 which may be contracted out:
- (1) Serving as *the City of Beverly's* primary point of contact for all inquiries from the State, affordable housing providers, Administrative Agents, and interested households;
 - (2) Monitoring the status of all restricted units in *the City of Beverly's* Fair Share Plan;
 - (3) Compiling, verifying, and submitting annual reports as required by COAH;
 - (4) Coordinating meetings with affordable housing providers and Administrative Agents, as applicable;
 - (5) Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by COAH;
 - (6) If applicable, serving as the Administrative Agent for some or all of the restricted units in *the City of Beverly* as described in F. below.
- D. Subject to approval by COAH, *the City of Beverly* may contract with or authorize a consultant, authority, government or any agency charged by the Governing Body, which entity shall have the responsibility of administering the affordable housing program of the City of Beverly, except for those responsibilities which may not be contracted out pursuant to subsection C above. If *the City of Beverly* contracts with another entity to administer all or any part of the affordable housing program, including the affordability controls and Affirmative Marketing Plan, the Municipal Housing Liaison shall supervise the contracting Administrative Agent.
- E. Compensation. Compensation shall be fixed by the Governing Body at the time of the appointment of the Municipal Housing Liaison.
- F. Administrative powers and duties assigned to the Municipal Housing Liaison. The Administrative Agent shall have authority to take all actions necessary and appropriate to carry out its responsibilities hereunder.
- (1) Affirmative Marketing
 - (a) Conducting an outreach process to insure affirmative marketing of affordable housing units in accordance with the Affirmative Marketing Plan of the City of Beverly and the provisions of N.J.A.C. 5:80-26.15; and

- (b) Providing counseling or contracting to provide counseling services to low and moderate income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
- (2) Household Certification
 - (a) Soliciting, scheduling, conducting and following up on interviews with interested households;
 - (b) Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;
 - (c) Providing written notification to each applicant as to the determination of eligibility or non-eligibility;
 - (d) Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in Appendices J and K of N.J.A.C. 5:80-26.1 et. seq.;
 - (e) Creating and maintaining a referral list of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are located; and
 - (f) Employing the random selection process as provided in the Affirmative Marketing Plan of *[insert name of municipality]* when referring households for certification to affordable units.
- (3) Affordability Controls
 - (a) Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for recording at the time of conveyance of title of each restricted unit;
 - (b) Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded mortgage and note, as appropriate;
 - (c) Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and properly filed with the appropriate county's register of deeds or county clerk's office after the termination of the affordability controls for each restricted unit;
 - (d) Communicating with lenders regarding foreclosures; and

- (e) Ensuring the issuance of Continuing Certificates of Occupancy or certifications pursuant to N.J.A.C. 5:80-26.10.
- (4) Resale and rental
 - (a) Instituting and maintaining an effective means of communicating information between owners and the Administrative Agent regarding the availability of restricted units for resale or rental; and
 - (b) Instituting and maintaining an effective means of communicating information to low- and moderate-income households regarding the availability of restricted units for resale or re-rental.
- (5) Processing request from unit owners
 - (a) Reviewing and approving requests from owners of restricted units who wish to take out home equity loans or refinance during the term of their ownership;
 - (b) Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the cost of central air conditioning systems; and
 - (c) Processing requests and making determinations on requests by owners of restricted units for hardship waivers.
- (6) Enforcement
 - (a) Securing annually lists of all affordable housing units for which tax bills are mailed to absentee owners and notifying all such owners that they must either move back to their unit or sell it;
 - (b) Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the Administrative Agent;
 - (c) The posting annually in all rental properties, including two-family homes, of a notice as to the maximum permitted rent together with

the telephone number of the Administrative Agent where complaints of excess rent can be made;

- (d) Sending annual mailings to all owners of affordable dwelling units, reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.18(d)4;
- (c) Establishing a program for diverting unlawful rent payments to the municipality's affordable housing trust fund or other appropriate municipal fund approved by the DCA;
- (f) Creating and publishing a written operating manual, as approved by COAH, setting forth procedures for administering such affordability controls; and
- (g) Providing annual reports to COAH as required.

Section 4. Severability.

If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect or invalidate the remainder of this Ordinance, but shall be confined in its effect to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

Section 5. Inconsistent Ordinances Repealed.


All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistencies.

Section 6. Effective Date.

This Ordinance shall take effect immediately upon final adoption and publication in the manner prescribed by law.

Adopted: (Insert date)

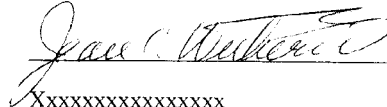
ATTEST:



XXXXXXXXXXXXXXXXXXXX

Municipal Clerk

APPROVED:



XXXXXXXXXXXXXXXXXXXX

Mayor

I hereby certify that the foregoing
is a true copy of a Resolution/Ordinance
duly adopted by the Governing Body
of the City of Beverly, County of
Burlington, State of New Jersey, at
a meeting held December 20, 2006


Signature of Official

13. Intent to Bond

RESOLUTION NO. 2008-~~98~~ 49

Resolution by Governing Body of Intent to Bond for Shortfall

WHEREAS, the City of Beverly in Beverly County has petitioned the Council on Affordable Housing (COAH) for substantive certification of its adopted housing element and fair share plan; and

WHEREAS, COAH has determined that the City of Beverly must allocate funds to meet the actual growth amount generated by future development and existing rehabilitation need; and

WHEREAS, the City of Beverly anticipates that funding will come from the following sources to satisfy said obligation: Department of Community Affairs Small Cities Program.

WHEREAS, in the event that the above funding sources prove inadequate to meet the City of Beverly's funding obligation, the City of Beverly shall provide sufficient funding to address any shortfalls.

NOW THEREFORE BE IT RESOLVED by the governing body of the City of Beverly in Beverly County, State of New Jersey, that the governing body, to the extent that it is legally required to do so, does hereby agree to fund any shortfall in its affordable housing program that may arise whether due to inadequate funding from other sources or for any other reason; and

BE IT FURTHER RESOLVED that said shortfall shall be funded, to the extent that the City is legally required to do so, by bonding if there are no other resources.

Adopted:

December 22, 2008
Date

Certified By:

Baltasar

I hereby certify that the foregoing
is a true copy of a Resolution/Ordinance
adopted by the Governing Body
of the City of Beverly, County of
Beverly, State of New Jersey, at
a meeting held December 22, 2008

Baltasar
Signature of Official

14. Municipally Sponsored and 100 Percent Affordable Developments (Habitat for Humanity & Beverly Commons)

**MUNICIPALLY SPONSORED AND 100 PERCENT AFFORDABLE
DEVELOPMENTS (N.J.A.C. 5:97-6.7)**

(Submit separate checklist for each site or project)

General Description

Municipality/County: Beverly/Burlington

Project Name: Habitat for Humanity

Block(s) and Lot(s): 22/6.0, 7.01; 25/ 6.01, 7, 8

Affordable Units Proposed: 5

Family: 5

Sale: 5

Rental: _____

Very low-income units: _____

Sale: _____

Rental: _____

Age-Restricted: 0

Sale: _____

Rental: _____

Bonuses, if applicable:

Rental bonuses as per N.J.A.C. 5:97-3.5: _____

Rental bonuses as per N.J.A.C. 5:97-3.6(a): _____

Very low income bonuses as per N.J.A.C. 5:97-3.7¹: _____

Smart Growth Bonus as per N.J.A.C. 5:97-3.18: _____

Compliance Bonus as per N.J.A.C. 5:97-3.17: _____

Date zoning adopted: _____ Date development approvals granted: _____

Required Information and Documentation with Pctition or in Accordance with an

Implementation Schedule

- ☒ Project/Program Information & Unit Inventory Forms (previously known as Project/Program Monitoring Form. If relying on previously submitted 2007 monitoring and/or subsequent CTM update, also check here ☐ in lieu of submitting forms.)

Is the municipality providing an implementation schedule for this project/program.

- ☒ Yes. Skip to and complete implementation schedule found at the end of this checklist.
NOTE: The remainder of this checklist must be submitted in accordance with the implementations schedule.

Habitat_100percent

☐ No. Continue with this checklist.

- ☒ Demonstration of site control or the ability to control the site, in the form of outright ownership, a contract of sale or an option to purchase the property

A general description of the site, including:

- ☐ Name and address of owner
- ☐ Subject property street location
- ☐ Subject property block(s) and lot(s)
- ☐ Subject property total acreage
- ☐ Indicate if urban center or workforce housing census tract
- ☐ Description of previous zoning
- ☐ Current zoning and date current zoning was adopted
- ☐ Tax maps showing the location of site(s) with legible dimensions (electronic if available)

A description of the suitability of the site, including:

- ☐ Description of surrounding land uses
- ☐ Demonstration that the site has street access
- ☐ Planning Area and/or Special Resource Area designation(s) e.g., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans
- ☐ Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4
- ☐ Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4

A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints:

- ☐ Wetlands and buffers
- ☐ Steep slopes
- ☐ Flood plain areas
- ☐ Stream classification and buffers
- ☐ Critical environmental site
- ☐ Historic or architecturally important site/district
- ☐ Contaminated site(s); proposed or designated brownfield site

- ☐ Based on the above, a quantification of buildable and non-buildable acreage
- ☐ RFP or Developer's Agreement
- ☐ Construction schedule with a minimum provision to begin construction within two years of substantive certification; including timetable for each step in the development process
- ☐ Pro-forma statement for the project
- ☐ Demonstration that the first floor of all townhouse or other multi-story dwelling units are accessible and adaptable per N.J.A.C. 5:97-3.14
- ☐ Evidence of adequate and stable funding; including municipal bond and/or general revenue funds where applicable

Information and Documentation Required Prior to Marketing the Completed Units

- ☐ Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18
- ☐ Draft or adopted operating manual that includes a description of program procedures and administration or a statement indicating that the Administrative Agent designated to run the program uses a COAH-approved manual in accordance with UHAC
- ☐ An affirmative marketing plan in accordance with UHAC

**MUNICIPALLY SPONSORED AND 100 PERCENT AFFORDABLE DEVELOPMENTS
(N.J.A.C. 5:97-6.7)**

IMPLEMENTATION SCHEDULE

The implementation schedule sets forth a detailed timetable that demonstrates a "realistic opportunity" as defined under N.J.A.C. 5:97-1.4 and a timetable for the submittal of all information and documentation required by N.J.A.C. 5:97-6.

The timetable, information, and documentation requested below are required components of the implementation schedule.

Please note that all information and documentation requested below is required to be submitted to COAH no later than two years prior to the scheduled implementation of the mechanism. The fully completed checklist from above must be submitted at that time.

PROVIDE THE INFORMATION REQUESTED IN THE SECTIONS BELOW

(A) Development schedule, including, but not limited to, the following:

Development Process Action	Date Anticipated to Begin	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Site Identification		5/1/2008	12/31/2008

RFP Process			
Developer Selection			
Executed Agreement with provider, sponsor or developer			
Development Approvals			
Contractor Selection			
Building Permits		7/15/2008	12/31/2008
Occupancy		12/1/2008	12/31/2008

(B) Site specific information, including the following:

Site Information	Date Supporting Documentation to be Submitted to COAH
Site Description	
Site Suitability Description	
Environmental Constraints Statement	

(C) Financial documentation including, the following:

Financial Documentation	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Documentation of Funding Sources		
Project Pro-forma		

Municipal resolution appropriating funds or a resolution of intent to bond in the event of a shortfall of funds		12/31/2008
---	--	------------

100% or Municipally Sponsored Narrative Section

Project

Completed

¹ Pursuant to PL 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.

Prepared by: (Print signed name below signature)
Elizabeth T. Edge
Elizabeth T. Edge, Esquire

Deed

This Deed is made on November 1, 2001

BETWEEN Habitat for Humanity Burlington County New Jersey Affiliate Inc.

a non-profit corporation of the State of New Jersey

having its principal office at 412 Warren Street, Beverly New Jersey 08010

referred to as the Grantor,

AND Melicia Morgan, single woman

whose post office address is 222 Cooper Street, New Jersey 08010

referred to as the Grantee.

The words "Grantor" and "Grantee" shall mean all Grantors and all Grantees listed above.

1. **Transfer of Ownership.** The Grantor grants and conveys (transfers ownership of) the property (called the "Property") described below to the Grantee. This transfer is made for the sum of (\$58,000.00) FIFTY EIGHT THOUSAND DOLLARS. The Grantor acknowledges receipt of this money.

2. **Tax Map Reference.** (N. J. S. A. 46:15-1.1) Municipality of Beverly

Block No. 57 Lot No. 17 Account No.

☐ No property tax identification number is available on the date of this Deed. (Check box if applicable.)

3. **Property.** The Property consists of the land and all the buildings and structures on the land in the City of Beverly, County of Burlington, and State of New Jersey. The legal description is:

☐ Please see attached Legal Description annexed hereto and made a part hereof (check box if applicable).

The property consists of the land and all the buildings and structures on the land in the City of Beverly, County of Burlington and State of New Jersey. The legal description is:

All that tract of land and premises being in the City of Beverly, County of Burlington and State of New Jersey, being described according in a survey thereof, dated August 1999, prepared by James K. Newell, professional land surveyor, as follows:

BEGINNING at a point in the easterly line of Cooper Street (60 feet wide), corner of Lot 16 of Tax Map Block, said point being a tax map distance of 180.39 feet measured on a bearing of N-05degrees 50 minutes 00 seconds-W from northeasterly corner of Cooper Street and Warren Street (50 feet wide) and extends thence:

- 1) Along the easterly line of Cooper Street N-05 degrees 50 minutes 00 seconds-W 80.00 feet to a point in the line of the same, corner to Lot 18; thence
- 2) Along the latter N-84 degrees 13 minutes 00 seconds-E 115.61 feet to a point, corner to the same, in the line of Lot 7; thence
- 3) Along the latter S-05 degrees 22 minutes 05 seconds-E 80.00 feet to an iron fence post in the line of the same, corner to Lot 16; thence
- 4) Along the latter S-84 degrees 12 minutes 55 seconds-W 114.96 feet to the point and place of BEGINNING.

Containing within bounds 0.2117 acres, be the same more or less.

DB5911-PG083

BEING Lot No. 17 in Section 57, Official Tax Map.

During such time as the property described herein is used for a purpose for which assistance under the Housing Opportunity Program Extension Act of 1996, P.L. 104-120, was provided or for another purpose involving the provision of similar services or benefits, then no person having an interest in this property shall refuse service for or accommodation or other benefits to any person with respect to the property on account of the person's race, color or national origin or otherwise engage in discrimination conduct of any kind on account of a person's race, color or national origin with respect to the property. This covenant shall run with the land.

4. **Promises by Grantor.** The Grantor promises that the Grantor has done no act to encumber the Property. This promise is called a "covenant as to grantor's act" (N. J. S. A. 46:4-6). This promise means that the Grantor has not allowed anyone else to obtain any legal rights which affect the property (such as by making a mortgage or allowing a judgment to be entered against the Grantor).

5. **Restrictions of Resale.** Pertaining to Melicia Morgan or her heirs only ("Buyers"). Buyer has purchased the above named property for \$58,000.00 dollars which Buyer acknowledges to be less than fair market value. If Buyer wishes to resell this property, Buyer shall first notify Habitat for Humanity Burlington NJ County Affiliate, Inc. and offer to sell the property to them. Habitat shall have thirty (30) days from notification to accept or refuse.

Furthermore, if Buyer resells this property before March 1, 2021 Buyer shall sell the house only for fair market value and shall pay to Habitat for Humanity Burlington County NJ Affiliate, Inc. a fraction* of the proceeds in excess of the balance due on the first note and mortgage. The numerator of that fraction shall be 19.33 less the number of years the Buyer has lived in the house since November 1, 2001. The denominator shall be 19.33.

* Habitat for Humanity Burlington County NJ Affiliate, Inc. shall receive a fraction of any net profit made by Buyer in the sale of this property. "Profit" shall be deemed to mean the amount of consideration received by Buyer for this property, less the amounts (a) due on the first mortgage, (b) reasonably expended by the Buyer in the course of selling the property, including among other things: real estate commissions, certificates of occupancy, infestation removal certificates, attorneys fees, clerk fees, recording fees, and costs of repairs made pursuant to a bona fide contract of sale, and (c) attributable to the fair market value of any substantial improvement or addition made by Buyer.

If Habitat refuses to buy, and the Buyer resells this property within ten years of the date of purchase, Buyer must sell this property only to someone whose income is under fifty percent of the HUD recognized local median income. Local means Burlington County, Camden County and Philadelphia County.

6. **Signatures.** This Deed is signed and attested to by the Grantor's proper corporate officers as of the date at the top of the first page. Its corporate seal is affixed. (Print name below each signature).

Witnessed or Attested by:

Elizabeth T. Edge
Elizabeth T. Edge, Secretary

By: Robert Ferrell Co/Pres
Robert Ferrell, Co-President

STATE OF NEW JERSEY, COUNTY OF BURLINGTON

I CERTIFY that on November 1, 2001

Robert Ferrell

personally came before me and stated to my satisfaction that this person (or if more than one, each

person): (a) was the maker of the attached Deed;

(b) was authorized to and did execute this Deed as President of Habitat for Humanity Burlington County New Jersey Affiliate Inc., the entity named in this Deed;

(c) made this Deed for \$58,000 as the full and actual consideration paid or to be paid for the transfer of title. (Such consideration is defined in N.J. S. A. 46:15-5.); and

(d) executed this Deed as the act of the entity.

Anthony F. Gerike
(print name and title below signature)
Anthony F. Gerike
An Attorney At Law Of The State of N.J.

DB5911 PG084

NC1645 - Affidavit of Consideration
RTF-1 (Rev. 7/99)
P7/99

STATE OF NEW JERSEY
AFFIDAVIT OF CONSIDERATION OR EXEMPTION
(c. 49, P.L. 1968)

ALL-STATE Legal
A Division of ALL-STATE International, Inc.
(908) 272-0800 Page 1

PARTIAL EXEMPTION
(c. 176, P.L. 1975)

To be recorded with Deed pursuant to c. 49, P.L. 1968, as amended by c. 226, P.L. 1985 (N.J.S.A. 46:15-5 et seq.)

STATE OF NEW JERSEY
COUNTY OF

Burlington

SS:

FOR RECORDERS USE ONLY	
Consideration \$	
Realty Transfer Fee \$	
Date	By

* Use symbol "C" to indicate that fee is exclusively for county use.

(CO) PARTY OR LEGAL REPRESENTATIVE (See Instructions #3, 4 and 5 on reverse side.)

Deponent Robert Ferrell (Name), being duly sworn according to law upon his/her oath

deposes and says that he/she is the Corporate office of the grantor in a deed dated 11/1/01
(State whether Grantor, Grantee, Legal Representative, Corporate Officer, Officer of Title Co., Lending Institution, etc.)

transferring real property identified as Block No. 57 Lot No. 17

located at 222 Cooper Street, City of Beverly, Burlington Co., NJ
(Street Address, Municipality, County)

and annexed hereto.

(2) CONSIDERATION (See Instruction #6.)

Deponent states that, with respect to deed hereto annexed, the actual amount of money and the monetary value of any other thing of value constituting the entire compensation paid or to be paid for the transfer of title to the lands, tenements or other realty, including the remaining amount of any prior mortgage to which the transfer is subject or which is to be assumed and agreed to be paid by the grantee and any other lien or encumbrance thereon not paid, satisfied or removed in connection with the transfer of title is \$ 58,100.00

(3) FULL EXEMPTION FROM FEE Deponent claims that this deed transaction is fully exempt from the Realty Transfer Fee imposed by c. 49, P.L. 1968, for the following reason(s): Explain in detail. (See Instruction #7.) Mere reference to exemption symbol is not sufficient.

(4) PARTIAL EXEMPTION FROM FEE

NOTE: All boxes below apply to grantor(s) only. ALL BOXES IN APPROPRIATE CATEGORY MUST BE CHECKED. Failure to do so will void claim for partial exemption. (See Instructions #8 and #9.)

Deponent claims that this deed transaction is exempt from the increased portion of the Realty Transfer Fee imposed by c. 176, P.L. 1975 for the following reason(s):

A) SENIOR CITIZEN (See Instruction #8.)

- ☒ Grantor(s) 62 yrs. of age or over.*
☐ One- or two-family residential premises.

- ☐ Owned and occupied by grantor(s) at time of sale.
☐ No joint owners other than spouse or other qualified exempt owners.

B) BLIND (See Instruction #8.)

- ☒ Grantor(s) legally blind.*
☐ One- or two-family residential premises.
☐ Owned and occupied by grantor(s) at time of sale.
☐ No joint owners other than spouse or other qualified exempt owners.

DISABLED (See Instruction #8.)

- ☐ Grantor(s) permanently and totally disabled.*
☐ One- or two-family residential premises.
☐ Receiving disability payments.
☐ Owned and occupied by grantor(s) at time of sale.
☐ Not gainfully employed.
☐ No joint owners other than spouse or other qualified exempt owners.

* IN THE CASE OF HUSBAND AND WIFE, ONLY ONE GRANTOR NEED QUALIFY.

C) LOW AND MODERATE INCOME HOUSING (See Instruction #8.)

- ☒ Affordable According to HUD Standards.
☒ Meets Income Requirements of Region.

- ☒ Reserved for Occupancy.
☒ Subject to Rentale Controls.

D) NEW CONSTRUCTION (See Instruction #9.)

- ☒ Entirely new improvement.
☐ Not previously used for any purpose.

- ☒ Not previously occupied.

Deponent makes this Affidavit to induce the County Clerk or Register of Deeds to record the deed and accept the fee submitted herewith in accordance with the provisions of c. 49, P.L. 1968.

Subscribed and sworn to before me
this Nov. 2001

Robert W. Ferrell
Name of Deponent (Sign above line)
Robert Ferrell
c/o 412 Warren St.
Beverly, NJ 08010
Address of Deponent

Habitat for Humanity

Name of Grantor (Type above line)
Burlington Co., NJ Affiliate,
Inc.
412 Warren St., Beverly, NJ 08010
Address of Grantor at Time of Sale

ANTHONY F. GERRE
Notary Public in and for the State of N.J.

FOR OFFICIAL USE ONLY This space for use of County Clerk or Register of Deeds.			
Instrument Number		County	
Deed Number		Block	Page
Deed Dated		Date Recorded	

IMPORTANT - BEFORE COMPLETING THIS AFFIDAVIT, PLEASE READ THE INSTRUCTIONS ON THE REVERSE SIDE HEREOF. This format is prescribed by the Director, Division of Taxation in the Department of the Treasury, as required by law, and may not be altered without the approval of the Director.

ORIGINAL - To be retained by County.

DUPLICATE - To be forwarded by County to Division of Taxation on partial exemption from fee (N.J.A.C. 18:16 - 8.12)

TRIPLICATE - Is your file copy.

DB59111PG085

ORIGINAL AND DUPLICATE COPY MUST BE SUBMITTED WITH DEED TO COUNTY RECORDING OFFICER



Habitat for Humanity

Burlington County Affiliate

1702 Taylors Lane • Cinnaminson, New Jersey 08077

July 7, 2008

Ms. Barbara Sheipe
Municipal Clerk
City of Beverly
446 Broad St.
Beverly NJ 08010

Dear Barbara:

Thanks for taking the time to talk today. As discussed, it is Habitat's understanding that the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq. ("UHAC") administered by the Council on Affordable Housing (COAH) require Beverly or its Administrative Agent to take actions prior to closing of the sale of affordable homes so that the homes may qualify to be eligible for COAH credit. Habitat expects to complete construction and close sales of affordable homes at 213 Broad St. (3 bedroom) and 219 Broad St. (4 bedroom) on or about August 1, 2008 in compliance with N.J.A.C. 5:80-26.3(a), and (b) 1, 3 and 4.

As discussed, in the absence of an Administrative Agent, this letter was sent to you by registered mail to ensure secure delivery of Applications for Affordable Housing (Attachments 1 and 2). The applications and their attachments contain personal identity and financial information required by UHAC to be submitted to Beverly's Administrative Agent. When Beverly has appointed an Administrative Agent, kindly deliver this letter and its attachments to the Administrative Agent. The form is available at <http://www.state.nj.us/dca/coah/administrators/certificationapp.doc>.

It is Habitat's understanding that, N. J. A. C. 5:80-26.7(b) requires the City's designated Administrative Agent to certify that the purchasing households are income-eligible. To the extent reasonably permitted by Habitat's resources, Habitat will cooperate with and assist the City in meeting UHAC requirements.



Member Agency
UNITED WAY
of Burlington County

Tel: 856-303-8080 • Fax: 856-303-8099 • www.habitatbcnj.org



Habitat for Humanity

Burlington County Affiliate

1702 Taylors Lane • Cinnaminson, New Jersey 08077

-2-

To assist the Administrative Agent in determining the income eligibility of the applicants, attached (Attachment 3) is Habitat's "Calculation of Household Eligibility for Certification as Eligible For Restricted Ownership Units as Required by N. J. A. C. 5:80-26.7 (b)" form assessing each applicant's income-eligibility. The assessments are based on criteria set forth in N.J.A.C. 5:80-26.7 and -26.16.

Also attached (Attachments 4 and 5) for the Administrative Agent's consideration are a signed and notarized form from each applicant as required by UHAC Appendix J. (<http://www.state.nj.us/dca/coah/580files/newappendices/f.doc>)

As you may know, Habitat's affordable housing development proposes four (4) for-sale homes, consisting of either three- or four-bedrooms. As stated above, Habitat expects to complete construction and close sales of affordable homes at 213 Broad St. (3 bedroom) and 219 Broad St. (4 bedroom) on or about August 1, 2008 in compliance with N.J.A.C. 5:80-26.3(a), and (b) 1, 3 and 4. Construction of the remaining three-bedroom home and four-bedroom home is scheduled to begin on or about July 15, 2008. So that these homes may be eligible for credit toward satisfying Beverly's Third Cycle COAH obligation, Habitat has filed an application with COAH for a bedroom distribution waiver. A copy of Habitat's filing has been mailed to you, Mayor Wetherill and William J. Kearns, Esquire, on June 25, 2008.

Also attached (Attachments 6 and 7) for the designated Administrative Agent's approval are copies of completed UHAC Recapture Note and Mortgage forms for the 213 and 219 Broad Street properties. These forms were taken from the COAH website at <http://www.state.nj.us/dca/coah/580files/newappendices/n.doc> and <http://www.state.nj.us/dca/coah/580files/newappendices/o.doc>. It is Habitat's understanding that these forms must be executed during the closing on each unit and then delivered to the designated Administrative Agent for filing by the City.

Additionally, I have attached (Attachment 8) a copy of COAH's Affordable Housing Price Calculator form (<http://www.state.nj.us/dca/coah/administrators/calculators/generalsales08>) which Habitat has completed with the information for this affordable housing development. This form shows the maximum sale prices for the three- and four-bedroom homes at 213 and 219 Broad St. respectively, as required by N.J.A.C. 5:80-26.3(e), which provides:



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-3-

The maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than 70 percent of median income. Each affordable development must achieve an affordability average of 55 percent for restricted ownership units. In achieving this affordability average, moderate-income ownership units must be available for at least three different prices for each bedroom type, and low-income ownership units must be available for at least two different prices for each bedroom type.

Habitat understands that, in order for the homes to qualify for COAH credit, the City's designated Administrative Agent must approve the maximum prices prior to the closing on the affordable homes, pursuant to N.J.A.C. 5:80-26.6(b).

Habitat has also completed and/or is continuing affirmative marketing and household pre-certification activities for this affordable housing development and can provide the City with evidence of efforts in this regard. Habitat has also executed and will provide to the Administrative Agent the form of restrictive covenant required by N.J.A.C. 5:80-26.5(d) to be executed by Habitat as developer of affordable homes in Beverly.

As stated above, it is Habitat's intention to close on the affordable homes at 213 and 219 Broad Street on or about August 1, 2008. Accordingly, we request that not later than July 22, 2008 the designated Administrative Agent please:

1. Certify that the purchasing households are income-eligible;
2. Approve and finalize the maximum sales prices; and
3. Approve and finalize the Recapture Note and Mortgage forms.



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-4-

In order to coordinate and facilitate the completion of activities necessary for the homes Habitat is constructing to be eligible for credit toward satisfying Beverly's COAH obligations, Joann Higgins and I would like to meet with you at the earliest mutually convenient time during the week of July 7. I will call you to arrange a time to meet.

Habitat looks forward to continuing to cooperate with and assist the City and its designated Administrative Agent with these complicated compliance requirements necessary for the Habitat homes to be eligible for COAH credit.

Sincerely,

John Powell
Volunteer
856-983-0520

Attachments (8)



Member Agency
UNITED WAY
of Burlington County

Tel: 856-303-8080 • Fax: 856-303-8099 • www.habitatbcnj.org

**MUNICIPALLY SPONSORED AND 100 PERCENT AFFORDABLE
DEVELOPMENTS (N.J.A.C. 5:97-6.7)**

(Submit separate checklist for each site or project)

General Description

Municipality/County: Beverly/Burlington

Project Name: Beverly Commons

Block(s) and Lot(s): 26/ 2.02

Affordable Units Proposed: 19

Family: 0

Sale: 0

Rental: 19

Very low-income units: 0

Sale: _____

Rental: _____

Age-Restricted:

Sale: _____

Rental: _____

Bonuses, if applicable:

Rental bonuses as per N.J.A.C. 5:97-3.5: _____

Rental bonuses as per N.J.A.C. 5:97-3.6(a): _____

Very low income bonuses as per N.J.A.C. 5:97-3.7¹: _____

Smart Growth Bonus as per N.J.A.C. 5:97-3.18: _____

Compliance Bonus as per N.J.A.C. 5:97-3.17: _____

Date zoning adopted: _____ Date development approvals granted: _____

Required Information and Documentation with Petition or in Accordance with an

Implementation Schedule

- ☒ Project/Program Information & Unit Inventory Forms (previously known as Project/Program Monitoring Form. If relying on previously submitted 2007 monitoring and/or subsequent CTM update, also check here ☒ in lieu of submitting forms.)

Is the municipality providing an implementation schedule for this project/program.

- ☒ Yes. Skip to and complete implementation schedule found at the end of this checklist.
NOTE: The remainder of this checklist must be submitted in accordance with the implementations schedule.

Beverly Commons_100percent

☐ No. Continue with this checklist.

- ☒ Demonstration of site control or the ability to control the site, in the form of outright ownership, a contract of sale or an option to purchase the property

A general description of the site, including:

- ☐ Name and address of owner
- ☐ Subject property street location
- ☐ Subject property block(s) and lot(s)
- ☐ Subject property total acreage
- ☐ Indicate if urban center or workforce housing census tract
- ☐ Description of previous zoning
- ☐ Current zoning and date current zoning was adopted
- ☐ Tax maps showing the location of site(s) with legible dimensions (electronic if available)

A description of the suitability of the site, including:

- ☐ Description of surrounding land uses
- ☐ Demonstration that the site has street access
- ☐ Planning Area and/or Special Resource Area designation(s) e.g., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans
- ☐ Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4
- ☐ Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4

A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints:

- ☐ Wetlands and buffers
- ☐ Steep slopes
- ☐ Flood plain areas
- ☐ Stream classification and buffers
- ☐ Critical environmental site
- ☐ Historic or architecturally important site/district
- ☐ Contaminated site(s); proposed or designated brownfield site

- ☐ Based on the above, a quantification of buildable and non-buildable acreage
- ☐ RFP or Developer's Agreement
- ☐ Construction schedule with a minimum provision to begin construction within two years of substantive certification; including timetable for each step in the development process
- ☐ Pro-forma statement for the project
- ☐ Demonstration that the first floor of all townhouse or other multi-story dwelling units are accessible and adaptable per N.J.A.C. 5:97-3.14
- ☐ Evidence of adequate and stable funding; including municipal bond and/or general revenue funds where applicable

Information and Documentation Required Prior to Marketing the Completed Units

- ☐ Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18
- ☐ Draft or adopted operating manual that includes a description of program procedures and administration or a statement indicating that the Administrative Agent designated to run the program uses a COAH-approved manual in accordance with UHAC
- ☐ An affirmative marketing plan in accordance with UHAC

**MUNICIPALLY SPONSORED AND 100 PERCENT AFFORDABLE DEVELOPMENTS
(N.J.A.C. 5:97-6.7)**

IMPLEMENTATION SCHEDULE

The implementation schedule sets forth a detailed timetable that demonstrates a "realistic opportunity" as defined under N.J.A.C. 5:97-1.4 and a timetable for the submittal of all information and documentation required by N.J.A.C. 5:97-6.

The timetable, information, and documentation requested below are required components of the implementation schedule.

Please note that all information and documentation requested below is required to be submitted to COAH no later than two years prior to the scheduled implementation of the mechanism. The fully completed checklist from above must be submitted at that time.

PROVIDE THE INFORMATION REQUESTED IN THE SECTIONS BELOW

(A) Development schedule, including, but not limited to, the following:

Development Process Action	Date Anticipated to Begin	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Site Identification			12/31/2007

RFP Process			
Developer Selection			
Executed Agreement with provider, sponsor or developer			
Development Approvals			
Contractor Selection			
Building Permits			
Occupancy		12/1/2007	12/31/2007

(B) Site specific information, including the following:

Site Information	Date Supporting Documentation to be Submitted to COAH
Site Description	
Site Suitability Description	
Environmental Constraints Statement	

(C) Financial documentation including, the following:

Financial Documentation	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Documentation of Funding Sources		
Project Pro-forma		

Municipal resolution appropriating funds or a resolution of intent to bond in the event of a shortfall of funds		
---	--	--

100% or Municipally Sponsored Narrative Section

Project

Completed

¹ Pursuant to Pl. 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.

15. Proposed Redevelopment Area (Beaunit Mills)

PROPOSED REDEVELOPMENT AREAS (N.J.A.C. 5:97-6.6)

(Submit separate checklist for each site or zone)

General Description

Municipality/County: Beverly/Burlington

Project Name/Redevelopment Designation: Beaunit Mills Redevelopment Project

Block(s) and Lot(s): 77/9

Total acreage: 1.3 Proposed density (units/gross acre): 15.4

Affordable Units Proposed: 4

Family: 4 Sale: 4 Rental: 0

Very low-income units: 0 Sale: Rental:

Age-Restricted: 0 Sale: Rental:

Market-Rate Units Anticipated: 16

Non-Residential Development Anticipated (in square feet): 0

Will the proposed development be financed in whole or in part with State funds, be constructed on State-owned property or be located in an Urban Transit Hub or Transit Village? ☒ Yes ☐ No

Bonuses for affordable units, if applicable:

Rental bonuses as per N.J.A.C. 5:97-3.5:

Rental bonuses as per N.J.A.C. 5:97-3.6(a):

Very low income bonuses as per N.J.A.C. 5:97-3.7¹:

Smart growth bonuses as per N.J.A.C. 5:97-3.18:

Redevelopment bonuses as per N.J.A.C. 5:97-3.19: 1

Compliance bonuses as per N.J.A.C. 5:97-3.17

Date zoning or redevelopment plan adopted: 8/19/2007

Date development approvals granted:

Beaunit Mills redevelopment

**Information and Documentation Required with Petition or in Accordance with an
Implementation Schedule**

The municipality is providing an implementation schedule for this project/program.

- ☒ Yes. Skip to and complete implementation schedule found at the end of this checklist.
NOTE: The remainder of this checklist must be submitted in accordance with the implementation schedule.
- ☐ No. Continue with this checklist.
- ☒ Project/Program Information Form (previously known as Project/Program Monitoring Form. If relying on previously submitted 2007 monitoring and/or subsequent CTM update, also check here ☒ in lieu of submitting forms.)
- ☐ Adopted Resolution designating Redevelopment Area
- ☐ Demonstration of DCA's approval of Redevelopment Area designation. Check here ☐ if non-applicable.
- ☒ Redevelopment plan adopted by the governing body which includes the requirements for affordable housing
- ☒ A description of the site, including its location, acreage and existing and intended use
- ☒ An anticipated timeline and development process expected for the site

If payments in lieu of on-site construction of the affordable units is an option:

- ☐ Proposed or adopted ordinance establishing the amount of the payments
- ☐ Spending plan

A general description of the site, including:

- ☐ Name and address of owner
- ☐ Subject property street location
- ☐ Subject property block(s) and lot(s)
- ☐ Indicate if urban center or workforce housing census tract
- ☐ Subject property total acreage
- ☐ Previous zoning designation and date previous zoning was changed
- ☐ Current zoning and date current zoning was adopted
- ☐ Description of any changes to bulk standards intended to accommodate the proposed densities
- ☐ Tax maps showing the location of site(s) with legible dimensions (electronic if available)
- ☐ Map of Redevelopment Area

**Information and Documentation Required prior to Substantive Certification or in Accordance
with an Approved Implementation Schedule**

A description of the suitability of the site, including:

- ☐ Description of surrounding land uses
- ☐ Demonstration that the site has street access
- ☐ Planning Area and/or Special Resource Area designation(s) e.g., PA1, PA2, PA3, PA4, PA5, CAFRA, Pinelands, Highlands, Meadowlands, etc., including a discussion on consistency with the State Development and Redevelopment Plan (SDRP) and/or other applicable special resource area master plans
- ☐ Demonstration that there is or will be adequate water capacity per N.J.A.C. 5:97-1.4 to serve the proposed redevelopment area or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4
- ☐ Demonstration that there is or will be adequate sewer capacity per N.J.A.C. 5:97-1.4 to serve the proposed redevelopment area or that the site is subject to a durational adjustment per N.J.A.C. 5:97-5.4

A description (including maps if applicable) of any anticipated impacts that result from the following environmental constraints:

- ☐ Wetlands and buffers
- ☐ Steep slopes
- ☐ Flood plain areas
- ☐ Stream classification and buffers
- ☐ Critical environmental site
- ☐ Historic or architecturally important site/district
- ☐ Contaminated site(s); proposed or designated brownfield site
- ☐ Based on the above, a quantification of buildable and non-buildable acreage
- ☐ A copy of the final Request for Proposals, which includes the requirements for affordable housing. Check here ☐ if non-applicable.
- ☐ Demonstration that the municipality or redeveloper either has control of the site or an option on the property or a plan in place for obtaining site control, in accordance with the LHRL
- ☐ An executed redevelopment agreement that results in the creation of affordable housing units and which shall include the following:
 - ☐ Number, tenure and type of units
 - ☐ A schedule for the overall development plan, including phasing of residential development
 - ☐ Compliance with N.J.A.C. 5:94-6.4(i)-(k)

- ☐ Demonstration that the first floor of all townhouse or other multistory dwelling units is accessible and adaptable per N.J.A.C. 5:97-3.14
- ☐ If applicable, current status of the municipality's Workable Relocation Assistance Program (WRAP)

Information and Documentation Required Prior to Marketing the Completed Units

- ☐ Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18
- ☐ Adopted operating manual that includes a description of program procedures and administration or a statement indicating that the Administrative Agent designated to run the program uses a COAH-approved manual in accordance with UHAC
- ☐ An affirmative marketing plan in accordance with UHAC, except for low- and moderate-income households displaced by redevelopment that are given preference for new units

PROPOSED REDEVELOPMENT AREAS (N.J.A.C. 5:97-6.6)

IMPLEMENTATION SCHEDULE

The implementation schedule sets forth a detailed timetable that demonstrates a "realistic opportunity" as defined under N.J.A.C. 5:97-1.4 and a timetable for the submittal of all information and documentation required by N.J.A.C. 5:97-6.

The timetable, information, and documentation requested below are required components of the implementation schedule.

Please note that all information and documentation requested below is required to be submitted to COAH no later than two years prior to the scheduled implementation of the mechanism. The fully completed checklist from above must be submitted at that time.

PROVIDE THE INFORMATION REQUESTED IN THE SECTIONS BELOW

(A) Redevelopment Area information, including the following:

Redevelopment Area Documentation	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Adopted resolution designating Redevelopment Area		
Demonstration of DCA's approval of Redevelopment Area designation (enter N/A if not applicable)		

Redevelopment plan adopted by the governing body which includes the requirements for affordable housing	8/19/2007	12/31/2008
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(B) Development schedule, including, but not limited to, the following:

Redevelopment Process Action	Date Anticipated to Begin	Date Anticipated to be Completed	Date Supporting Documentation to be Submitted to COAH
Site Identification	completed		12/31/2008
RFP Process (enter N/A if not applicable)			
Developer Selection	6/1/2007	8/1/2008	12/31/2008
Site Plan Preparation	10/1/2008	1/1/2009	1/31/2009
Development Approvals	2/1/2009	4/15/2009	4/30/2009
Contractor Selection	4/15/2009	5/15/2009	5/31/2009
Building Permits	6/1/2009	7/1/2009	7/15/2009
Construction	8/1/2009	2/28/2010	4/15/2010
Occupancy	3/1/2010	7/1/2010	8/1/10

Redevelopment Narrative Section

¹ Pursuant to PL 2008 c.46, Very Low-Income bonuses may only be granted for very low-income units that exceed 13 percent of the of the housing units made available for occupancy by low-income and moderate income households.

16. Project/Program Information Form (Waterfront Redevelopment Project)

PROJECT / PROGRAM INFORMATION FORM

Changes to the highlighted areas are to be made directly into the CTM system. Fields highlighted in grey will be added to the CTM screen in January. All other changes must be made on the form and submitted to COAH.

PART A – PROJECT HEADER

Municipality: Beverly County: Burlington

Project or Program Name: Waterfront Redevelopment Project

Project Status (circle current status and enter date of action for that status)	Status Date
Proposed/Zoned	_____
Preliminary Approval	_____
Final Approval	<u>8-19-07</u>
Affordable Units under Construction	_____
Completed (all affordable certificates of occupancy (C.O.) issued)	_____
Deleted from Plan (date approved by COAH) _____)	_____

Mechanisms - Project / Program Type (circle one)

Assisted Living Facility	Alternative Living Arrangement	Accessory Apartment
Market to Affordable	Credits without Controls	ECHO
Inclusionary	Rehabilitation	<u>Redevelopment</u>
		100 Percent Affordable

If an Inclusionary project, identify subtype (circle all that apply)

Units constructed on-site Units constructed off-site Combination Contributory

Growth Share Ordinance

If an Alternative Living Arrangement project, identify subtype (circle one)

Transitional Facility for the Homeless Residential Health Care Facility Congregate Living Facility

Group Home Boarding Homes (A through E) (only eligible for credit for 1987-99 plans)

Permanent Supportive Housing (unit credit) Supportive Shared Living Housing (bedroom credit)

PART B – PROJECT DETAIL (Complete all applicable sections)

COAH Rules that apply to project: Round 1 Round 2 **[Round 3]**

Project Address: various properties; see redevelopment plan

Project Block/Lot/Qualifier (list all) various properties; see redevelopment plan

Project Acreage: see redevelopment plan Density: see redevelopment plan Set Aside: 20%

Project Sponsor: (circle one) Municipally Developed Nonprofit Developed **[Private Developer]**

Project Sponsor name: City of Beverly

Project Developer name: To be selected through an RFP

Planning Area (circle all that apply)

[1] 2 3 4 4B 5 5B

Highland Preservation Highlands Planning Area Pinelands Meadowlands

CAFRA Category I Watershed

Credit Type

Prior-cycle (1980 – 1986) Post-1986 completed **[Proposed/Zoned]** Rehabilitation

Credit Sub-Type (if applicable)

Addressing Unmet Need Extension of Controls

Construction Type (circle one) **[New (includes reconstruction and conversions)]** Rehabilitation

Flags (circle all that apply) 3.1 Phased Durational Adjustment Conversion Court Project

Density Increase Granted Mediated Project Overlay Zone Result of Growth Share Ordinance

High Poverty Census Tract Off-Site Partnership Project RCA Receiving Project

Reconstruction Part of Redevelopment Plan

Project Waiver granted yes no Round waiver was granted R1 R2 R3

Type of Waiver _____

Number of market units proposed 240 Number of market units completed 0

Number of market units with certificates of occupancy issued after 1/1/2004 0

Number of affordable units under construction 0

Condo Fee percentage (if applicable) _____

Affordability Average Percentage ¹ 52

¹ "Affordability Average" means an average of the percentage of median income at which restricted units in an affordable development are affordable to low and moderate-income households.

For Contributory or Combination Sites

Total payment in lieu of building affordable units on site _____

Number of affordable units created with payment _____

Municipal or RCA funds committed to project _____ 0 _____

Municipal or RCA funds expended _____ 0 _____

Funding Sources (circle all that apply)

County HOME County Rehab Funds CDBG Federal Home Loan Bank HODAG HUD HUD 202
IIUD 236 IIUD 811 HUD HOPE VI HUD HOME McKinney Funds Fannie Mae Multi-Family
UDAG UHORP USDA-FHA Rural Development USDA-FHA - Section 515 Development Fees
Municipal Bond Municipal Funds Payment in Lieu Private Financing RCA Capital Funding
Balanced Housing Balanced Housing – Home Express DCA – Low Income House Tax Credit NPP
DCA Shelter Support Services DDD DHSS DHHS HMFA Low Income House Tax Credit
HMFA HMFA HOME MONI Section 8 Small Cities Other _____

Effective date of affordability controls To be determined

Length of Affordability Controls (in years) 30 or Perpetual

Administrative Agent City of Beverly

For Redevelopment Projects

Does this project require deed restricted units to be removed? Yes No

If Yes

of deed restricted units removed

of moderate income units removed

of low income units removed

of very low income units removed

of rental units removed

of for-sale units removed

of one-bedroom units removed

of two-bedroom units removed

of three-bedroom units removed

PART C – COUNTS

Affordable Unit Counts

Total non-age-restricted 60 Sales 50 Rentals 10 Total age-restricted 0 Sales Rentals

Complete the chart for the number of non-age-restricted and age-restricted units that are **restricted** for the following income categories (do not report on the income levels of residents currently residing in the units)

<u>Low Income</u>	<u>Non-age restricted</u>	<u>Age-restricted</u>
30% of median income ²	<u>10</u>	<u> </u>
35% of median income ³	<u> </u>	<u> </u>
50% of median income	<u>20</u>	<u> </u>
<u>Moderate Income</u>		
80% of median income	<u>30</u>	<u> </u>

Note: 30% = less than or equal to 30 percent of median income
 35% = greater than 30 percent and less than or equal to 35 percent of median income
 50% = greater than 35 percent and less than or equal to 50 percent of median income
 80% = greater than 50 percent and less than 80 percent of median income

Bedroom Distribution of Affordable Units

Sale units	efficiency low <u> </u>	1 bedroom low <u> </u>	2 bedroom low <u>10</u>	3 bedroom low <u>10</u>
	efficiency mod <u> </u>	1 bedroom mod <u> </u>	2 bedroom mod <u>15</u>	3 bedroom mod <u>15</u>
Rental units	efficiency low <u> </u>	1 bedroom low <u> </u>	2 bedroom low <u>5</u>	3 bedroom low <u>5</u>
	efficiency mod <u> </u>	1 bedroom mod <u> </u>	2 bedroom mod <u> </u>	3 bedroom mod <u> </u>

Completed Units

Number of affordable units completed in this project 0

Number of affordable units in this project lost through foreclosures, illegal sale or expired affordability controls 0

² Pursuant to N.J.A.C. 5:97-3.7 units deed restricted to households earning 30% or less of median income may be eligible for Bonus Credit for Very-Low Income Units. (RCA receiving units not eligible for bonus credits)

³ Pursuant to N.J.A.C. 5:80-26.3(d) At least 10 percent of all low- and moderate-income rental units must be deed restricted to households earning no more than 35 percent of median income

PART D - (completed by Sending Municipality)

For Approved Regional Contribution Agreements (RCA)

Sending Municipality _____ County _____
RCA Receiving Municipality _____ County _____
COAH approval date _____
Number of units transferred _____ Cost per unit _____
Total transfer amount _____ Amount transferred to date _____

For Partnership Program

Sending Municipality _____ County _____
Partnership Receiving Municipality _____ County _____
Name of Project _____
Credits for Sending Municipality _____
Total transfer amount _____ Amount transferred to date _____

Summary of Sending Municipality's contractual agreement with Partnership Receiving Municipality

